

Washington, Saturday, August 29, 1964

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1964, and specifies how they are affected.

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Announcing a New

Statutory Citations Guide

HOW TO FIND U.S. STATUTES and

U.S. CODE CITATIONS

This pamphlet contains typical legal reference situations which require further citing. Official published volumes in which the citations may be found are shown along-side each reference—with suggestions as to the logical sequence to follow in using them to make the search. Additional finding aids, some especially useful in citing current material, also have been included. Examples are furnished at pertinent points and a list of reference titles, with descriptions, is carried at the end.

Price: 10 cents

Compiled by: Office of the Federal Register, National Archives and Records Service, General Services Administration

[Published by the Committee on the Judiciary, House of Representatives]

Order from: Superintendent of Documents, Government Printing Office, Washington, D.C., 20402

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter II—Employment and Compensation in the Canal Zone

PART 1201-GENERAL

Additional Exclusion

Effective upon publication in the Feneral Register, § 1201.100(b) is amended to read as follows, to implement the provisions of Executive Order No. 11171, August 18, 1964:

§ 1201.100 Exclusions.

(b) The following positions, and the incumbents thereof, are excluded from the provisions of Parts 1202 and 1203 of the regulations in this chapter.

(1) Attorneys.

(2) Teachers and school officers of schools of the Canal Zone Government.

(3) Positions in the Department of the Army excepted from the competitive service by § 6.105(a) (1) and (6), Schedule A, Part 6 of this title (Civil Service Regulations).

(4) Positions in the Department of the Navy excepted from the competitive service by § 6.106(a) (1), Schedule A, and § 6.206(a), Schedule B, Part 6 of this title

(Civil Service Regulations).

(5) Visiting physicians and nurses of the Panama Canal Company assigned to the home visit program for beneficiaries of the Cash Relief Act of July 8, 1937, as amended (50 Stat. 478; 68 Stat. 17), who reside in the Republic of Panama.

(6) Non-U.S. citizen liaison agents of the Police Division of the Canal Zone

Government.

(7) Positions designated by the Canal Zone Civilian Personnel Policy Coordinating Board as fee-rate positions within the Special Category established

by § 1204.7 of this chapter.

(8) Positions requiring part-time or intermittent services in which the individual appointee will receive during his service year compensation that aggregates not more than 40 percent of the annual salary rate for the first step of grade NM-3 in the Non-Manual category.

(9) Positions of police private and police officer in the Police Division of the Canal Zone Government (not to exceed 40 in number) the duties of which, in the judgment of the Governor of the

-Canal Zone, can be more effectively performed by Panamanian citizens.

> Stephen Ailes, Secretary of the Army.

[F.R. Doc. 64-8780; Filed, Aug. 28, 1964; 8:45 a.m.]

PART 1202—FILLING POSITIONS

Designation of Security Positions

Effective upon publication in the Federal Register, the introductory text of § 1202.2 is amended to read as follows, to conform with the provisions of Executive Order 11171, August 18, 1964:

§ 1202.2 Designation of security positions.

Positions designated as security positions by the head of each agency or by his authority shall be filled only by citizens of the United States. Such positions may include, but not be limited to, the following:

Stephen Ailes, Secretary of the Army.

[F.R. Doc. 64-8781; Filed, Aug. 28, 1964; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28—COTTON CLASSING, TEST-ING, AND STANDARDS

Subpart A—Regulations Under the United States Standards Act

WASTY COTTON .

Statement of considerations leading to amendment. Paragraph (b) of § 28.40 of the regulations under the United States Cotton Standards Act provides that for cotton that has a mike reading of 2.6 or lower on an air flow instrument the board of cotton examiners will enter the mike reading on all classification memoranda issued for such cotton. The Department is discontinuing mike readings as an additional quality factor for upland cotton going under price support loan. Therefore, without a mike reading on each bale classed under Form 1 classification, it is necessary to have a term to describe cotton of weak, irregular or immature staple.

This amendment of paragraph (b) of § 28.40 deletes the provision that boards of cotton examiners will enter the mike reading on all classification memoranda issued for cotton that has a mike reading of 2.6 or lower. The amendment further provides that cotton with a weak, irregular or immature staple shall be designated "wasty".

Paragraph (b) of § 28.40 is amended to read as follows:

§ 28.40 Terms defined; cotton classification. (b) Cotton of wasty staple. Cotton that has a weak, irregular or immature staple.

Pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), inasmuch as (1) the ginning season for cotton is well underway and it is in the interest of producers and the industry that this amendment be effectuated at the earliest possible date and (2) no special preparation is required for compliance with this amendment on the part of producers and members of the cotton trade, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest and good cause is found for making this amendment effective less than 30 days publication in the after FEDERAL REGISTER.

(Sec. 10, 42 Stat. 1519; 7 U.S.C. 61)

Effective date. This amendment shall become effective August 30, 1964.

Dated: August 26, 1964.

ROY W. LENNARTSON, Associate Administrator.

[F.R. Doc. 64-8792; Filed, Aug. 28, 1964; 8:46 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture

PART 362—REGULATIONS FOR EN-FORCEMENT OF FEDERAL INSECTI-CIDE, FUNGICIDE, AND RODENTI-CIDE ACT

Miscellaneous Amendments

On September 6, 1963, and January 16, 1964, there were published in the FEDERAL REGISTER (28 F.R. 9783, 29 F.R. 405) notices of proposed revision of the regulations (7 CFR 362.1-362.25) for the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135-135k). Interested persons were given an opportunity to submit written data, views or arguments with respect to each notice. After consideration of all relevant matters presented by interested persons and pursuant to section 6 of said Act (7 U.S.C. 135d) the provisions of the proposed regulations as published on January 16, 1964, except the provisions of § 362.14(a)(5) pertaining to the use of safety claims on labeling, were adopted with minor changes (29 F.R. 3801). Additional time was afforded interested persons to submit written data, views or arguments with respect to the proposed provisions of § 362.14(a) (5) (29 F.R. 3815).

On May 20, 1964, there was published in the Federal Register (29 F.R. 6561) a notice of proposed amendments of §§ 362.6 and 362.10 of the regulations.

The proposal to amend these sections was pursuant to the provisions of Public Law 88–305, an amendment of the Federal Insecticide, Fungicide, and Rodenticide Act providing, among other things, that the label of an economic poison may bear the registration number assigned to the article, and shall bear such number when so required by regulation. Interested persons were afforded an opportunity to submit written data, views or arguments concerning these proposed amendments.

After consideration of all relevant matters presented by interested persons, and pursuant to section 6 of said Act, as amended (7 U.S.C. 135d), the regulations

are amended as follows:

1. Section 362.6(a) is amended by inserting in the first sentence, after the phrase ending "§ 362.7" the following: "; the registration number assigned to the economic poison as prescribed in paragraph (f) of this section,".

2. Section 362.6 is further amended by redesignating paragraph (f) as paragraph (g) and inserting a new paragraph (f) as follows:

§ 362.6 Labeling.

(f) Registration Number. The registration number assigned to an economic poison at the time of registration shall appear on the label of such economic poison. The number must be the same as that appearing on the notice of registration and shall be preceded by the phrase "USDA Registration No.," or the phrase "USDA Reg. No." all of which shall be in type of a size and style similar to other print on that part of the label on which it appears and shall run parallel to it. The registration number shall not appear in a manner which would make it misleading to the public.

3. Section 362.10 is amended by redesignating paragraphs (d) through (j) as paragraphs (e) through (k), respectively, and inserting a new paragraph (d) to read as follows:

§ 362.10 Registration.

(d) Registration Number. When an economic poison is registered under the Act, the Director shall assign a registration number to the economic poison. The registration number shall consist of a number assigned to the registrant, immediately followed by a hyphen and a number assigned to the product.

4. Section 362.14(a)(5) is issued to read as follows:

§ 362.14 Misbranding.

(a) * * *

(5) Unwarranted claims as to the safety of the economic poison or its ingredients, including a statement such as "safe," "non-poisonous," "non-injurious," or "harmless" with or without such a qualifying phrase as "when used as directed": Provided, however, That the Director may permit a truthful statement such as "non-toxic to humans and pets" on those products which are determined by the Director to be non-toxic to humans and pets.

(Sec. 6, 61 Stat. 168; 7 U.S.C. 135d; 19 F.R. 74, as amended)

The foregoing amendments are substantially the same as those contained in the notices of proposed rule making. Certain changes have been made for the purpose of clarity and as a result of the comments received by the Department pursuant to such notices. It would not appear that additional rule making procedure would provide the Department with any information that is not presently available. Therefore, it is found on good cause that further rule making procedure in connection with these amendments is unnecessary.

Effective date. The foregoing amendments shall become effective on November 1, 1964: Provided, however, That labels complying with the foregoing amendments may be used on a voluntary basis prior to that date: And, provided, further, That economic poisons bearing labels not complying with the foregoing amendments may be distributed under the Act until July 1, 1965, if such labels were accepted in connection with registration prior to November 1, 1964, and are from stocks existing on that date.

Done at Washington, D.C., this 26th day of August 1964.

GEORGE W. IRVING, Jr., Acting Administrator, Agricultural Research Service.

[F.R. Doc. 64–8808; Filed, Aug. 28, 1964; 8:47 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B-FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 10]

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54 AND 55), AND MARY-LAND TOBACCO ALLOTMENT AND MARKETING QUOTA REGULATIONS, 1963–64 AND SUBSEQUENT MARKETING YEARS

Subpart—Tobacco Allotment and Marketing Quota Regulations, 1963–64 and Subsequent Marketing Years

1. Basis and purpose. This amendment to the above-designated regulations (27 F.R. 8937, 9211, 10743; 28 F.R. 7757, 8018, 9144, 11049; 29 F.R. 1315, 6520, 7588, 7763, 9927), is issued (1) to add a paragraph "w" to § 724.67, as amended, of the said regulations to provide that the lease and transfer of a tobacco allotment for the 1964 crop year shall be effective if (a) the Secretary finds a lease in compliance with the provisions of § 724.67, as amended, was agreed upon no later than April 1, 1964, in the States of Ala-

bama, Florida, Georgia, North Carolina, South Carolina, and Virginia; and no later than May 1, 1964, in all other States. and (b) the terms of the lease are reduced to writing and filed no later than September 9, 1964, in the county office for the county in which the farms involved are located; and (2) to add a paragraph (x) to § 724.67, as amended, to provide that the dissolution of a lease shall be effective if (a) the county committee, with the approval of the State executive director, finds the dissolution of the lease was agreed upon no later than April 1, 1964, in the States of Ala-bama, Florida, Georgia, North Carolina, South Carolina, and Virginia; and no later than May 1, 1964, in all other States, and (b) the terms of the dissolution are reduced to writing and filed no later than September 9, 1964, in the county office for the county in which the farms involved are located.

Since tobacco producers are engaged in the production and, in the case of flue-cured tobacco in the marketing, of the 1964 crop of tobacco and need to know as soon as possible the provisions of the amendment, it is hereby found that compliance with the public notice, procedure, and effective date requirements of the Administrative Procedure Act (5 U.S.C. 1003) is impractical and contrary to the public interest and this amendment shall become effective upon filing with the Director, Office of the Federal Register.

2. The amendment. New paragraphs (w) and (x) are added to § 724.67, as amended, of the said regulations to read as follows:

§ 724.67 Lease and transfer of tobacco acreage allotment.

(w) Notwithstanding the foregoing provisions of this section, the lease and transfer of an allotment for the 1964 crop year shall be effective if (1) the Secretary finds a lease in compliance with the provisions of this section was agreed upon no later than April 1, 1964 in the States of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia; and no later than May 1, 1964, in all other States, and (2) the terms of the lease are reduced to writing and filed no later than September 9, 1964 in the county office for the county in which the farms involved are located.

(x) Notwithstanding the foregoing provisions of this section, the dissolution of a lease for the 1964 crop year made pursuant to this section shall be effective if (1) the county committee, with the approval of the State executive director. finds the dissolution of the lease was agreed upon no later than April 1, 1964, in the States of Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia; and no later than May 1, 1964. in all other States, and (2) the terms of the dissolution are reduced to writing and filed no later than September 9, 1964, in the county office for the county in which the farms involved are located. (Secs. 316, 375, 75 Stat. 469, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1314b, 1375; P.L. 88-469)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on August 26, 1964.

RAY FITZGERALD, Acting Administrator, Agricultural Stabilization Conservation Service.

[F.R. Doc. 64-8846; Filed, Aug. 28, 1964; 8:48 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Valencia Orange Reg. 99]

908—VALENCIA **ORANGES** GROWN IN ARIZONA AND DESIG-NATED PART OF CALIFORNIA

Limitation of Handling

§ 908.399 Valencia Orange Regulation

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time: and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation: interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 27, 1964.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., August 30, 1964, and ending at 12:01 a.m., P.s.t., September 6, 1964, are hereby fixed as follows:

(i) District 1: Unlimited movement;(ii) District 2: 550,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," and "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 28, 1964.

PAUL A. NICHOLSON, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-8886; Filed, Aug. 28, 1964; 11:08 a.m.]

[Lemon Reg. 126]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.426 Lemon Regulation 126.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the Federal Register (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the pro-

visions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on August 25, 1964.
(b) Order. (1) The respective quan-

tities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., August 30, 1964, and ending at 12:01 a.m., P.s.t., September 6, 1964, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 232,500 cartons;

(iii) District 3: Unlimited movement. (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 27, 1964.

PAUL A. NICHOLSON, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-8870; Filed, Aug. 28, 1964; 8:48 a.m.1

PART 987-DOMESTIC DATES PRO-DUCED OR PACKED IN A DESIG-NATED AREA OF CALIFORNIA

Expenses of Date Administrative Committee and Rate of Assessment for 1964-65 Crop Year

Notice was published in the August 13. 1964, issue of the Federal Register (29 F.R. 11599) regarding proposed expenses of the Date Administrative Committee for the 1964-65 crop year_and rate of assessment for that crop year, pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987; 29 F.R. 9706), regulating the handling of domestic dates produced or packed in a designated area of California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Date Administrative Committee, and other available information, it is found that the expenses of the Date Administrative Committee and the rate of assessment for the crop year beginning August 1, 1964, shall be as follows:

§ 987.309 Expenses of the Date Administrative Committee and rate of assessment for the 1964-65 crop year.

(a) Expenses. Expenses (including \$2,500 for the maintenance of the operating monetary reserve fund) in the amount of \$34,528 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1964, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate.

(b) Rate of assessment. The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the Date Administrative Committee as his pro rata share of the expenses is fixed at 13 cents per hundred-weight on all dates he has certified during the crop year as meeting the requirements for marketable dates including the eligible portion of any field-run dates certified and set aside or disposed of pursuant to § 987.45(f).

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the Federal Register (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the rate of assessment fixed for a particular crop year shall be applicable to all dates certified during that crop year as meeting the requirements for marketable dates including the eligible portion of certain field-run dates; and (2) the current crop year began on August 1, 1964, and the rate of assessment herein fixed will automatically apply to all such dates beginning with that date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 26, 1964.

Paul A. Nicholson,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 64-8810; Filed, Aug. 28, 1964; 8:48 a.m.]

PART 993—DRIED PRUNES PRO-DUCED IN CALIFORNIA

Expenses of Prune Administrative Committee and Rate of Assessment for 1964–65 Crop Year

Notice was published in the August 13, 1964, issue of the Federal Register (29

F.R. 11599) regarding proposed expenses of the Prune Administrative Committee for the 1964-65 crop year and rate of assessment for that crop year, pursuant to §§ 993.80 and 993.81 of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Prune Administrative Committee, and other available information, it is found that the expenses of the Prune Administrative Committee and the rate of assessment for the crop year beginning August 1, 1964, shall be as follows:

§ 993.315 Expenses of the Prune Administrative Committee and rate of assessment for the 1964-65 crop year.

(a) Expenses. Expenses in the amount of \$76,000 are reasonable and likely to be incurred by the Prune Administrative Committee during the crop year beginning August 1, 1964, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate.

(b) Rate of assessment. The rate of assessment for such crop year which each handler is required, pursuant to § 993.81, to pay to the Prune Administrative Committee as his pro rata share of the said expenses is fixed at 50 cents per ton of prunes received by him from producers and dehydrators.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the Federal Register (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the rate of assessment fixed for a particular crop year shall be applicable to all prunes received by a handler from producers and dehydrators during that crop year; and (2) the current crop year began on August 1, 1964, and the rate of assessment fixed herein will automatically apply to all such prunes beginning with that date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 26, 1964.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 64-8809; Filed, Aug. 28, 1964; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Cotton Loan Program Regs., Amdt. 3]

PART 1427—COTTON

Subpart—Cotton Loan Program Regulations

ELIMINATION OF REQUIREMENTS FOR MICRONAIRE READINGS

In order to eliminate the requirement for micronaire readings and the premiums and discounts based thereon, and in order to provide an appropriate discount for cotton which is "wasty", the regulations issued by Commodity Credit Corporation, published in 28 F.R. 5712, and 12794, 29 F.R. 9780 and 11145 as Cotton Loan Program Regulations, and containing the terms and conditions with respect to the Cotton Loan Program, are hereby amended as follows:

1. Paragraph (a) of § 1427.1357 is hereby amended to read as follows:

§ 1427.1357 Forms and authorizations.

(a) Cotton Classification Memorandum, Form 1 or Form A3 for each bale showing the classification assigned by a board of cotton examiners of the United States Department of Agriculture.

2. Paragraph (b) of § 1427.1359 is hereby amended to read as follows:

§ 1427.1359 Weight, loan rate, and amount.

(b) Loan rate. (1) The base loan rate for Middling 1-inch upland cotton (except for the special condition upland cotton provided for in this section) of each crop at each approved warehouse will be stated in the schedule of base loan rates for upland cotton by warehouse locations contained in the supplement to these regulations for such crop. This schedule will be available at county offices.

(2) The premium or discount applicable to each other eligible grade and staple length of upland cotton of each crop will also be contained in the supplement to these regulations for such crop.

(3) The loan rate for upland cotton for which the classification memorandum shows a reduction in grade because of the presence of extraneous matter (such as grass, bark, oil, sand, etc.) or because of spindle twist shall be one-half cent a pound less than the loan rate for the quality (grade and staple length) to which the cotton is reduced.

(4) The loan rate for upland cotton which is "wasty" shall be three cents a pound less than the loan rate for the quality (grade and staple length) shown on the classification memorandum for the cotton. Cotton is wasty if so designated on the official classification memorandum or if the classification memorandum shows a micronaire read-

ing of 2.6 or less.

- (5) The loan rate for upland cotton for which the classification card shows a reduction in grade because of the presence of extraneous matter or spindle twist and which is also "wasty" shall be 3½ cents a pound less than the loan rate for the quality (grade and staple length) shown on the classification memorandum for the cotton.
- (6) Loan rates for extra long staple cotton of each crop will be contained in the supplement to these regulations for such crop.
- 3. Paragraph (a) of § 1427.1365 is hereby amended by deleting the first sentence thereof so that such paragraph will read as follows:

§ 1427.1365 Classification of cotton.

(a) All cotton tendered for loan must be classed by a USDA Board of Cotton Examiners (referred to in this subpart as "the board") and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 must be based upon a representative sample drawn in accordance with instructions to organized improvement groups for sampling cotton under the Smith-Doxey Program. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman (for warehouse-stored cotton) or receiving agency (for cotton covered by bills of lading) shall sample such cotton and forward the samples to the board serving the district in which the cotton is located. Such warehouseman or receiving agency must be licensed by the Agricultural Marketing Service, U.S. Department of Agriculture to draw samples for submission to the board. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet, CCC Cotton Form L (referred to in this subpart as "Form L"), must be prepared by the warehouseman or receiving agency, listing each sample included in a shipment to the board. A copy of such Form L shall be included with the samples, and the original and two copies must be mailed separately to the board. The board will enter the classification of each bale on the Form L and return a copy of such form to the warehouseman or receiving agency. The Cotton Classification Memorandum Form A3 will be returned to the producer by the board. If a sample has been submitted for a Form 1 or Form A3 classification, another sample shall not be drawn and forwarded to a board except for a review classification. Where review classification is not involved, if through error or otherwise two or more samples from the same bale are submitted for classification, the loan rate shall be based on the classification having the lower loan value. If a Form 1 or Form A3 review classification is obtained, the loan value of the cotton represented thereby will be based on such review classification.

§ 1427.1483 [Deleted]

4. Section 1427.1483 containing a schedule of premiums and discounts for micronaire readings of eligible 1964-crop upland cotton is hereby deleted.

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421)

Effective date. This amendment shall become effective August 30, 1964.

Signed at Washington, D.C., on August 26, 1964.

RAY FITZGERALD, Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 64-8811; Filed, Aug. 28, 1964; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 6184; Special Federal Aviation Regulation No. 7]

PART 91—GENERAL OPERATING AND FLIGHT RULES [NEW]

Prohibition of Air Traffic Over and in Vicinity of Bader Field Airport, Atlantic City, New Jersey

On August 27 and 28, 1964, President Lyndon B. Johnson may attend the Democratic National Convention at Atlantic City, New Jersey. The interest of the public in the President and the large assemblage of persons resulting from his presence should attract numerous aircraft in the area that will be operated over the Bader Field Airport and through the airspace generally used by other aircraft. In addition, the Federal agency responsible for the security of the President has requested that we take appropriate action for his safety and the safety of other persons present.

In order to provide appropriate safeguards for aircraft operations in the area and for persons and property on the ground, I have determined that a temporary restriction must be imposed on air traffic to prohibit the operation of all types of aircraft in the vicinity of Bader Field Airport below 2,000 feet above the surface unless authorized by air traffic control. This authorization may be obtained most readily by communicating with the Atlantic City Tower.

I have determined that there is a requirement for the immediate adoption of this regulation for the safety of air commerce. Therefore, I find it contrary to the public interest to comply with the notice and public procedure provisions of the Administrative Procedure Act and that good cause exists for making this regulation effective immediately.

In consideration of the foregoing, the following Special Federal Aviation Regulation is adopted:

(1) Unless otherwise authorized by Atlantic City Tower, and two-way communication is maintained with the tower, no person may operate an aircraft during the period from 2100 hours, e.d.t., on August 27, 1964, to 1800 hours, e.d.t., on August 28, 1964, below 2,000 feet above the surface within a five-mile radius of Bader Field Airport, Atlantic City, New Jersey.

(2) This regulation becomes effective immediately and expires at 1800 hours, e.d.t.,

August 28, 1964.

This regulation is adopted under the authority of section 307 of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on August 26, 1964.

Harold W. Grant, Acting Administrator.

[F.R. Doc. 64-8797; Filed, Aug. 28, 1964; 8:47 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS [Reg. Docket No. 6183; Amdt. 805]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Aircraft

Amendment 743, 29 F.R. 7315, 64-12-2, as amended by Amendment 759, 29 F.R. 8474, requires preflight inspection of the thrust reversers on Boeing Model 727 Series aircraft. It has been determined that the light rigging check and the modification to the lockout actuator as also required by the AD have eliminated the problem of the warning system not providing a proper indication when the reverser is not locked. Therefore, it is considered unnecessary to continue the preflight inspection since the thrust reverser light will provide adequate warning and Amendment 743, as amended by Amendment 759 is being further amended.

Since this amendment removes a previous requirement and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication in the Federal Register.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), \$507.10(a) of Part 507 (14 CFR Part 507) is amended as follows:

Amendment 743, 29 F.R. 7315, AD 64-12-2, as amended by Amendment 759, 29 F.R. 8474, Boeing Model 727 Series aircraft, is further amended by:

1. Adding to paragraph (a) the following sentence:

Upon compliance with (b) and (c) of this directive the visual inspection required by this paragraph may be discontinued.

- 2. Changing paragraph (d) to read:
- (d) Prior to compliance with (b) and (c) the inspection required by (a) shall also be made before flight when any reverser is again actuated on the ground during engine runup or during taxiing. Upon compliance with (b) and (c) further inspections under paragraph (a) need not be made.

This amendment shall become effective August 29, 1964.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on August 25, 1964.

JAMES F. RUDOLPH, Acting Director, -Flight Standards Service.

[F.R. Doc. 64-8783; Filed, Aug. 28, 1964; 8:45 a.m.]

[Reg. Docket No. 6182; Amdt. 804]

PART 507—AIRWORTHINESS DIRECTIVES

Vickers Viscount Models 745D and 810 Series Aircraft

Amendment 357, 26 F.R. 10224, AD 61-23-5, requires inspection and rework of the inner wing to outer wing spar boom attachment joint lugs, and the center section to inner wing spar boom attachment joint lugs, in the region of the taper bolt holes on Vickers Viscount Models 745D and 810 Series aircraft. Since the adoption of Amendment 357, later revisions to Vickers-Armstrongs Preliminary Technical Leaflets Nos. 230 and 97 have been issued covering minor changes in the requirements for ultrasonic inspection, and revised inspection requirements for the taper bolts following refitting. Therefore Amendment 357 is being amended to cover these revisions.

Although this amendment contains provisions that are a relaxation of the existing requirements, other provisions, minor in nature, have been added to the amendment that require compliance without further delay. Therefore, good cause exists for making this amendment effective without compliance with the notice, procedure, and effective date provisions of the Administrative Procedure Act.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), \$507.10(a) of Part 507 (14 CFR Part 507) is amended as follows:

Amendment 357, 26 F.R. 10224, AD 61-23-5, Vickers Viscount Models 745D and 810 Series aircraft, is amended by:
1. Adding a new paragraph (b) (5) to

read:

- (5) In addition to the ultrasonic inspection requirements of (a) and (b) (1) to (b) (4) accomplish ultrasonic or FAA approved equivalent inspection of the top and bottom spar boom joints when a replacement outer wing is fitted to the aircraft. No ultrasonic inspection is necessary when an outer wing is removed and refitted to the same aircraft between the specified ultrasonic inspection intervals, if bolt tensioning has previously been accomplished in accordance with the details of the relevant PTL and if the correct ultrasonic inspection cycles have been maintained.
- 2. Changing paragraphs (c) and (d) to read:
- (c) Reprotection of wing spar joints at controlled intervals is required and must be accomplished in accordance with the procedure detailed in the applicable PTL referenced herein. This procedure necessitates the removal of all bolts in each joint thus

enabling a thorough visual inspection for corrosion and cleanliness, both of the bolts and holes. On reassembly a set of new or reclaimed bolts must be fitted. After inspection in accordance with the provisions of this AD and repair in accordance with the applicable PTL, the bolts and joints are to be reprotected and assembled in accordance with the applicable PTL referenced herein. Following the fitting of bolts a torque loading check must be carried out in accordance with the provisions of paragraph 8 of the applicable PTL referenced herein. Refitment and torque loading of the bolts must be followed by an inspection of the joint for cracks, using ultrasonic methods or FAA approved equivalent, before further flight. Reprotection of all top and bottom spar boom joints must be carried out on all aircraft when they achieve five years of age, dating from time of manufacture. If this age was achieved before June 30, 1962, compliance was required by that date. Subsequently repeat the reprotection at intervals of six years. If the spar taper bolts were retensioned prior to receipt of Vickers-Armstrongs Cable SS6952 or Issue 4 of the referenced PTL (for 745D) or Issue 3 of the referenced PTL (for 810) reprotection of all spar joints must be accomplished within six years from the date of the initial retensioning and at subsequent intervals of six years. On aircraft manufactured since January 1961, accomplish reprotection of all spar joints within six years from date of manufacture and thereafter at intervals of six years.

(d) Comply with the provisions of paragraph 8 of the applicable referenced PTL. Accomplish refitment of the bolts by ultrasonic or FAA approved equivalent inspection. Taper bolts removed from the aircraft shall be treated in accordance with the reclaiming procedure paragraph 8.4 of the applicable referenced PTL before further The torque loading figures obtained during initial retensioning of the spar taper bolts shall be recorded for each aircraft since these figures form the datum point for subsequent periodic torque loading inspections. However, where the original torque loading figures have not been recorded use the minimum figures quoted in the PTL for datum purposes at the next check inspec-tion, at which time the torque loading figures shall be recorded. (Refer to PTL Figures 18 and 19 (for 745D) 17 and 18 (for 810).) Following the installation and torque loading check of new or reclaimed bolts as detailed in the applicable PTL accomplish the following inspections:

(1) Visually inspect the bolts for security not less than 100 hours' time in service from the time of fitment to the joints.

(2) Conduct an inspection not later than six months from the date of refitment to ensure that the torque loading values have not deteriorated to a value less than the figure previously recorded. If the torque values are not less than the recorded figure on each and every test repeat the torque loading check for the inner to center section joints within eighteen months and for the inner to outer section joints within twelve months from the date of the six months inspection and subsequently repeat the check within two years and thereafter at two-year intervals.

- 3. Adding a new paragraph (e) to read:
- (e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Division, FAA Europe, Africa, and Middle East Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

4. Changing the parenthetical reference statement to read:

(Vickers-Armstrongs PTL's No. 230 Issue 7, 700 Series (for 745D), and No. 97 Issue 6, 800/810 Series (for 810), cover this same subject.)

This amendment shall become effective August 29, 1964.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on August 25, 1964.

James F. Rudolph, Acting Director, Flight Standards Service.

[F.R. Doc. 64-8784; Filed, Aug. 28, 1964; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket No. C-806]

PART 13—PROHIBITED TRADE PRACTICES

Dante Creations, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 Composition: 13.1185-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: 13.1845-80 Wool Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: 13.1852-80 Wool Products Labeling Act. Subpart—Using misleading name—Goods: § 13.2280 Composition: 13.2280-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Dante Creations, Inc., et al., New York, N.Y., Docket C-806, Aug. 7, 1964]

In the Matter of Dante Creations, Inc., a Corporation, and Harold Weitz, Sidney Kantor, Michael Wiener, and Larry Curtis, Individually and as Officers of Said Corporation

Consent order requiring New York City importers of wool products to cease violating the Wool Products Labeling Act by such practices as labeling sweaters as containing "60% Mohair, 30% Wool, 10% Nylon" when they contained substantially different fibers and amounts thereof than so represented; failing to disclose on sweater labels the weight of the various constituent fibers; and using the word "Mohair" in lieu of "Wool" in setting forth the required fiber content information.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Dante Creations, Inc., a corporation, and its officers, and Harold Weitz, Sidney Kantor, Michael Wiener, and Larry Curtis individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in

connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, distribution or delivery for shipment, or shipment in commerce, of sweaters or other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

Misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Using the term "Mohair" in lieu of the word "Wool" in setting forth the required information on labels affixed to wool products without setting forth the

correct percentage present.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 7, 1964.

By the Commission.

[SEAL]

JOSEPH W. SHEA, Secretary.

[F.R. Doc. 64-8788; Filed, Aug. 28, 1964; 8:46 a.m.]

[Docket No. C-807]

PART 13-PROHIBITED TRADE **PRACTICES**

Jack J. Fanburg et al.

Subpart-Advertising falsely or misleadingly: § 13.235 Source or origin: 13.235-50 Maker or seller, etc.: 13.235-50(a) Fur Products Labeling Act; 13.235–50(b) Textile Fiber Products Identification Act; 13.235-50(c) Wool Products Labeling Act. Subpart-Concealing, obliterating or removing law required and informative marking: § 13.512 Fur products tags or identification; § 13.523 Textile fiber products tags or identification; § 13.525 Wool Products tags or identification. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: 13.1108-45 Fur Products Labeling Act. Subpart—Misbrand-ing or mislabeling § 13.1325 Source or origin: 13.1325-60 Maker or seller: 13.-1325-60(a) Fur Products Labeling Act; 13.1325-60(b) Textile Fiber Products Identification Act; 13.1325-60(c) Wool Products Labeling Act. Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: 13.1852-35 Fur Products Labeling Act; 13.1852-70 Textile Fiber Products Identification Act; 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 72 Stat. 1717; secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68, 69f, 70) [Cease and desist order, Jack J. Fanburg trading as Ann Lee Apparel et al., San Francisco, Calif., Docket C-807, Aug 7, 1964]

In the Matter of Jack J. Fanburg, an Individual Trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, Individually and as Copartners Trading as Fanburg's Fine Apparel

Consent order requiring San Francisco retailers to cease violating the Fur Products, Wool Products and Textile Fiber Products Identification Acts by labeling fur and wool products and advertising textile products as "Ann Lee Originals" when they were not designed by or created for respondents or available exclusively from them: failing to label fur. wool and textile fiber products, and to invoice fur products, with required information and in the manner directed; and removing and mutilating labels affixed to fur, wool and textile fiber products prior to ultimate sale and delivery.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or in the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce", and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding textile fiber products by failing to affix labels to such products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg and Harry Fanburg, individually and as copartners, trading as Fanburg's Fine Apparel, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from removing or mutilating or causing or participating in the removal or mutilation of, the stamp, tag, label, or other identification required by the Textile Fiber Products Identification Act to be affixed to any textile fiber product, after such textile fiber product has been shipped in commerce and prior to the time such textile fiber product is sold and delivered to the ultimate consumer.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Misrepresenting in any manner that fur products offered for sale are designed, fashioned or created by or for respondents or are available exclusively from respondents.

2. Using the word "original" or any other words or terms of similar import and meaning as descriptive of respondents' fur products unless such fur products are designed, fashioned or created by or for respondents or are available exclusively from respondents.

3. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products La-

beling Act.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

5. Failing to set forth on labels the item number or mark assigned to a fur

product.

B. Falsely and deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Failing to set forth on invoices the item number or mark assigned to fur products.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from removing or mutilating, or causing or participating in the removal or mutilation of, prior to the time any fur product subject to the provisions of the Fur Products Labeling Act is sold and

delivered to the ultimate consumer, any label required by the said Act to be af-

fixed to such fur product.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel and respondents' representatives, agents and employees, directly or through any corporate or other device. in connection with the introduction into commerce, or the offering for sale, sale, transportation, distribution or delivery for shipment in commerce, of wool wearing apparel or other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

Misbranding such products by:

1. Misrepresenting in any manner that wool products offered for sale are designed, fashioned or created by or for respondents or are available exclusively from respondents.

2. Using the word "original" or any other words or terms of similar import and meaning as descriptive of respondents' wool products unless such wool products are designed, fashioned or created by or for respondents or are available exclusively from respondents.

3. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel and respondents' representatives, agents and employees, directly or through any corporate or other device. do forthwith cease and desist from removing or mutilating or causing or participating in the removal or mutilation of any stamp, tag, label or other means of identification affixed to any wool product subject to the provisions of the Wool Products Labeling Act of 1939 with intent to violate the provisions of the said Act.

It is further ordered, That respondents Jack J. Fanburg, an individual trading as Ann Lee Apparel, and Jack J. Fanburg, and Harry Fanburg, individually and as copartners trading as Fanburg's Fine Apparel, and respondents' representatives, agents and employees, directly or through any corporate or other device. in connection with the offering for sale. sale or distribution of textile products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misreprésenting in any manner that textile products offered for sale are designed, fashioned or created by or for respondents or are available exclusively from respondents.

2. Using the word "original" or any other words or terms of similar import and meaning as descriptive of respondents' textile products unless such textile products are designed, fashioned or

created by or for respondents or are available exclusively from respondents.

It is further ordered, That the respondents herein shall, within sixty (60). days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 7, 1964.

By the Commission.

ISEAL T

JOSEPH W. SHEA, Secretary.

[F.R. Doc. 64-8789; Filed, Aug. 28, 1964; 8:46 a.m.1

[Docket No. C-808]

PART 13-PROHIBITED TRADE **PRACTICES**

Leon Fleisher et al.

Subpart-Misbranding or mislabeling: § 13.1185 Composition: 13.1185-90 Wool Products Labeling Act. Subpart-Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: 13.1845-80 Wool Products Labeling Act. Subpart—Using misleading name-Goods: § 13.2280 Composition: 13.2280-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Leon Fleisher trading as Knits by Carin et al., New York, N.Y., Docket C-808, Aug. 12, 1964]

In the Matter of Leon Fleisher, an Individual Trading as Knits by Carin, and Fleisher Fur Co., and Susan DeWilde, Individually and as an Employee of Knits by Carin and Edward Furer, Individually and as an Employee of Fleisher Fur Co.

Consent order requiring a New York City importer and manufacturer of wool products to cease violating the Wool Products Labeling Act by labeling as containing "75 percent wool mohair, 20 percent wool, 5 percent nylon, sweaters which contained substantially different amounts of fibers than thus represented failing to disclose on labels on certain sweaters the percentage of the total weight of the constituent fibers: and using on some of such products the term 'mohair" in lieu of "wool".

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Leon Fleisher, an individual trading as Knits By Carin and Fleisher Fur Co., or under any other name and respondent Susan DeWilde individually and as an employee of Knits By Carin and respondent Edward Furer individually and as an employee of Fleisher Fur Co., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, distribution or delivery for shipment, or shipment in commerce, of sweaters or other wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

Misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of constituent fibers contained therein.

2. Failing to securely affix to or place on, each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

3. Using the term "mohair" in lieu of the word "wool" in setting forth the required fiber content information on labels affixed to wool products without setting forth the correct percentage of the

mohair present.

It is further ordered, That the respendents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: August 12, 1964.

By the Commission.

[SEAL]

JOSEPH N. KUZEW, Acting Secretary.

[F.R. Doc. 64-8790; Filed, Aug. 28, 1964; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I-Bureau of Customs, Department of the Treasury

[T.D. 56246]

PART 3—DOCUMENTATION OF VESSELS

Preferred Mortgages and Related Instruments

Although the present regulations governing the recording and endorsing of preferred mortgages and related instruments require that assignments of mortgages shall be regarded in all respects as new preferred mortgages, the requirements are not specific as to the location and nature of the endorsement to be made on the marine document of the vessel covered by an assignment. Further, it appears that the same treatment accorded assignments should be given to amendments, assumptions, and novations (see T.D. 51667(3)) of mortgages. Accordingly, in order to make provision for similar treatment for such instruments and to specify the location and nature of the endorsement to be made on the marine document concerned, § 3.38(f) is amended to read as follows:

§ 3.338 Records and endorsement of preferred mortgages and related instruments.

(f) For the purposes of this section an assignment, amendment, assumption, or novation of a preferred mortgage shall be regarded in all respects as a new preferred mortgage. The preferred mort-

gage endorsement respecting the recording of such an assignment, amendment, assumption, or novation shall be entered on the marine document of the vessel by a notation along the left-hand margin of the original endorsement. Such notation shall specify the date, port, time of endorsement, and nature of the instrument. If the instrument is an amendment, the items amended shall be shown in the notation; if other than an amendment, the names of the new parties shall be shown. If the endorsement is made at the request of a customs officer at another port, the title of the requesting officer and the name of the port shall be shown.

(R.S. 161, as amended, sec. 2, 23 Stat. 118, as amended, sec. 30, subsec. C, D, E, G, H, W, 41 Stat. 1000, as amended, 1001, 1002, 1006; 5 U.S.C. 22, 46 U.S.C. 2, 921-923, 925, 926, 983)

[SEAL]

PHILIP NICHOLS, Jr., Commissioner of Customs.

Approved: August 21, 1964.

James A. Reed, Assistant Secretary of the Treasury.

[F.R. Doc. 64-8804; Filed, Aug. 28, 1964; 8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division,
Department of Labor

PART 681—HOMEWORKERS IN CER-TAIN INDUSTRIES IN PUERTO RICO

Hand-Lacing of Wallets

On June 27, 1964, a notice proposing to amend the piece rates contained in 29 CFR 681.9(c) commensurate with increases in minimum hourly wage rates was published in the Federal Register (29 F.R. 8175). Interested persons were given 15 days to file written statements of data, views or argument in regard to the proposal. After consideration of all relevant matter presented, I have decided to and do hereby adopt the proposal which reads as set forth below.

As this amendment merely articulates changed piece rates already in effect pursuant to 29 CFR 681.9(a), good cause is hereby found to make them effective without delay, and they shall be effective immediately.

As amended, 29 CFR 681.9(c) reads as follows:

§ 681.9 Minimum piece rates prescribed by the Administrator.

(c) Piece rates for the hand-lacing of leather wallets, leather wallet covers, and plastic wallets. A minimum piece rate of 0.96 cent per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, single stitch, with plastic lacing material, of leather wallets and leather wallet covers; a minimum piece rate of 2.36 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in the hand-lacing, double stitch, with plastic lacing material, of leather wallets and leather wallet covers; and a minimum piece rate of 2.93 cents per dozen stitches shall be paid to homeworkers in Puerto Rico engaged in hand-lacing, double stitch, with plastic lacing material, of plastic wallets.

(Sec. 6, 52 Stat. 1062; 29 U.S.C. 206)

Signed at Washington, D.C., this 25th day of August 1964.

CLARENCE T. LUNDQUIST,

Administrator.

[F.R. Doc. 64-8806; Filed, Aug. 28, 1964; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Coast Guard

I 46 CFR Parts 2, 24, 30, 31, 33-35, 70-78, 90, 91, 93-97, 110, 175]

[CGFR 64-42]

IMPLEMENTING INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1960, BY NAVIGATION AND VESSEL INSPECTION REGULA-TIONS

Written Comments on Proposed Changes

1. The International Convention for the Safety of Life at Sea, 1960 (SOLAS), will become effective on 26 May 1965, having been ratified by the requisite number of nations. This Convention is the result of the fourth International Conference on the Safety of Life at Sea held in London from May 17 to June 17, 1960. This Conference was called primarily to take advantage of the many technological advances which had been made since the 1948 Convention was drafted and adopted. The 1960 Conference was held under the auspices of the Intergovernmental Maritime Consultative Organization (IMCO), an agency of the United Nations. Copies of the 1960 "International Convention for the Safety of Life at Sea" may be purchased from the British Information Office, 45 Rockefeller Plaza, New York, 20, New York, Sales No. IMCO 1960.1, S.O. Code 88-3501, for \$3.78 per copy, plus local sales tax, if applicable.

2. The proposed changes to the navigation and vessel inspection regulations are set forth in Item XII of the Merchant Marine Council Public Hearing Agenda (CG-249), dated March 23, 1964 (Volume II). Copies of this Agenda were mailed to all persons and organizations who have expressed a continued interest in these regulations and have requested that copies be furnished them. Copies of the Agenda will be furnished, upon request to the Commandant (CMC), United States Coast Guard, Washington, D.C., 20226, so long as they are available. After the supply of extra copies is exhausted, copies will be available, for reading purposes only, in Room 4211, Coast Guard Headquarters or at the offices of the various Coast Guard District Commanders.

3. Pursuant to a notice of proposed rule making published in the FEDERAL REGISTER of January 30, 1964 (29 F.R. 1572–1586), and the Merchant Marine Council Public Hearing Agenda (CG-249), dated March 23, 1964, a public hearing was held March 23, 1964, for the purpose of receiving written and oral comments regarding Item XII of the Agenda containing proposed changes to the navigation and vessel inspection regulations to implement the 1960 In-

ternational Convention for the Safety of Life at Sea. In accordance with a news release and the summary of actions published with the amendments to regulations in the FEDERAL REGISTER of June 5, 1964 (29 F.R. 7344), it was announced that further written comments on the proposed changes in Item XII of the Agenda could be submitted until actions are taken to place the 1960 SOLAS Convention into effect. Therefore, the cutoff date for submitting comments is September 30, 1964.

4. Each person or organization who desires to submit further written comments, data or views in connection with the proposed regulations set forth in Item XII of the Merchant Marine Council Public Hearing Agenda (CG-249), dated 23 March 1964, should submit them in duplicate so that they will be received by the Commandant (CMC), United States Coast Guard Headquarters, Washington, D.C., 20226, prior to October 1, 1964. In order to insure consideration of written comments and to facilitate checking and recording, it is essential that each comment regarding a section or paragraph of the proposed regulations be submitted on Form CG-3287, showing the section number (if any), the name, the proposed change, the reason or basis, and the business firm or organization (if any) and the address of the submitter. A small quantity of Form CG-3287 is attached to the Agenda (CG-249) containing Item XII. Additional copies may be reproduced by typewriter or otherwise, or may be obtained upon request from the Commandant (CMC).

5. The navigation and vessel inspection regulation changes when prescribed will apply to all vessels as described in such regulations. The vast majority of the requirements will be in the "Rules and Regulations for Passenger Vessels' (CG-256) in 46 CFR Parts 70 to 78 (Sub-chapter H); "Rules and Regulations for Cargo and Miscellaneous Vessels" (CG-257) in 46 CFR Parts 90 to 98 (Subchapter I): and "Rules and Regulations for Tank Vessels" (CG-123) in 46 CFR Parts 30 to 35 (Subchapter D). Cross references or revised procedures will be also in 46 CFR Parts 2, 24, 110 and 175.

6. In writing the amendments to these regulations, it is assumed that each existing vessel is in compliance with all the applicable existing requirements as indicated by its certificate of inspection. This being the case, no change is contemplated to such vessels other than adding or substituting some few items as specifically required by the text of the revised regulations applicable to both existing and new vessels. Many of the subparts of the revised regulations are written specifically for new vessels. Such subparts have as their concluding section the applicable requirements for existing vessels, and it will be noted that such sections for passenger and cargo vessels are nearly always numbered "90." In most cases, instead of giving detailed re-

quirements for existing vessels, it is indicated that existing arrangements and materials previously accepted or approved will be considered satisfactory so long as they are maintained in good condition. The advantage of this method is that it preserves the status quo on arrangements and details when they have been previously accepted without the voluminous wording necessary to take care of the many special cases which have been acted upon in the past. However, so that some requirements could be available in the event that there is a question on a particular subject or if repairs or alterations are contemplated, wording has been generally added to the effect that the arrangements and details should be in general agreement with the requirements for 'new vessels insofar as is reasonable and practicable. Accordingly, it is not intended that each item will be checked on each vessel to determine if it is reasonable and practicable to change it to the new standards, but rather, this wording is for informational purposes to give the general scope of the subject at the later date when repairs and alterations are made.

7. It is not intended to ascertain that all existing vessels are in compliance with the new requirements in the revised navigation and vessel inspection regulations on May 26, 1965, and special inspections for that purpose will not be made at or about that date. However, as the various commercial vessels come up for their regular inspection for certification after May 26, 1965, the new requirements will be applied so that by May 26, 1966, passenger vessels, and by May 26, 1967, cargo and tank vessels will have been examined for compliance with the

new or revised regulations.

8. Starting on May 26, 1965, the 1960 SOLAS Convention certificates will be issued as such vessels come up for their inspection, in lieu of the 1948 SOLAS Convention certificates if presently required. In this manner all passenger vessels will have the 1960 SOLAS Convention certificates by May 26, 1966, and all cargo and tank vessels required to have the 1960 SOLAS Convention certificates issued will have them by May 26, 1967.

ITEM XIIA-PASSENGER VESSELS

9. It is proposed to amend 46 CFR Parts 70 to 78, inclusive, in Subchapter H, Rules and Regulations for Passenger Vessels, in order to incorporate the requirements contained in the International Convention for the Safety of Life at Sea, 1960. Reference to some specific regulations of the 1960 SOLAS Convention will be found opposite the proposed amendments in the Agenda (CG-249). In some instances, the requirements have been extended to services other than international voyages for the purpose of taking advantage of improved materials, equipment, methods, procedures, or arrangements.

10. In 46 CFR Part 70, regarding general provisions for passenger vessels, it is proposed to amend 46 CFR 70.05-1, 70.05-3, 70.05-10, 70.10-21, 70.15-1 and 70.20-5 and to add 46 CFR 70.10-30 defining nuclear vessels.

11. In 46 CFR Part 71, regarding inspection and certification of passenger vessels, it is proposed to amend 46 CFR 71.20–15, 71.25–10, 71.75–1 and to add 46 CFR 71.75–5, 71.75–10 and 71.75–15 describing 1960 SOLAS Convention certificates.

12. In 46 CFR Part 72, regarding construction and arrangement of passenger vessels, it is proposed to amend 46 CFR 72.05-1, 72.05-10 and 72.05-90.

13. In 46 CFR Part 73, regarding watertight subdivisions of passenger vessels, it is proposed to amend 46 CFR 73.01-1, 73.05-10, 73.10-35, 73.25-5, 73.25-10, 73.30-25, 73.35-10, 73.35-15, and 73.-90-1 and to add 46 CFR 73.10-23 describing special subdivision requirements for vessels 430 feet or longer in length.

14. In 46 CFR Part 74, regarding stability of passenger vessels, it is proposed to amend 46 CFR 74.01-1 and 74.10-15 and to add a new Subpart 74.90 containing § 74.90-1 for existing vessels.

15. In 46 CFR Part 75, regarding lifesaving equipment on passenger vessels, it is proposed to amend 46 CFR 75.10-1, 75.10-10, 75.10-15, 75.10-10, 75.10-90, 75.15-1, 75.20-10, 75.5-5. 75.10-5, 75.10-20, 75.10-25, 75.15-10, 75.15-90, 75.20-15, 75.25-1, 75.20-90, 75.25-5, 75.25-10, 75.25-90, 75.30-1, 75.30-10, 75.30-15, 75.30-90, 75.33-1, 75.33-5, 75.33-10, 75.33-15, 75.33-90, 75.35-5, 75.40-1, 75.40-5, 75.40-10, 75.40-90, 75.43-1, 75.43-5, 75.43-10, 75.43-90, 75.50-1, 75.50-5, 75.50-90, and 75.55-1 and to add a new Subpart 75.27 containing §§ 75.27-1 and 75.27–5 covering inflatable liferaft launching devices, a new Subpart 75.37 containing §§ 75.37-1 and 75.37-5 covering installations of inflatable liferaft launching devices, and a new § 75.50-15 covering illumination for inflatable liferaft launching operations.

16. In 46 CFR Part 76, regarding fire protection equipment for passenger vessels, it is proposed to amend 46 CFR 76 .-05-1, 76.05-30, 76.10-1, 76.10-5, 76.10-10, 76.10-15, 76.10-90 and 76.15-5, and to cancel 46 CFR 76.20-1 to 76.20-90, inclusive, regarding water spray extinguishing systems, and § 76.50-10(e) regarding locations for portable fire ex-

tinguishers.

17. In 46 CFR Part 77, regarding vessel control and miscellaneous systems and equipment for passenger vessels, it is proposed to amend 46 CFR 77.30-1 and 77.30-10, and to add a new Subpart 77.35, consisting of §§ 77.35-1 to 77.35-90, inclusive, regarding a "fireman's outfit."

18. In 46 CFR Part 78, regarding operations of passenger vessels, it is proposed to amend 46 CFR 78.13-10, 78.17-50, 78.47-60, 78.47-63, 78.47-65 and to add a new Subpart 78.54, consisting of §§ 78.54-1 and 78.54-5, regarding "lifesaving signals."

19. The authority to prescribe regulations regarding inspection of vessels is in R.S. 4405, as amended and 4462, as amended (46 U.S.C. 375, 416) and section 632 of Title 14, U.S. Code; as appli-

also interpret or apply specific statutory provisions as set forth in 46 CFR 70,01–10.

ITEM XIIB-CARGO AND MISCELLANEOUS VESSELS

20. It is proposed to amend 46 CFR. Parts 90 to 97, inclusive, in Subchapter I, Rules and Regulations for Cargo and Miscellaneous Vessels, in order to incorporate the requirements contained in the International Convention for the Safety of Life at Sea, 1960. Reference to some specific regulations of the 1960 SOLAS Convention will be found opposite the amendments in the Agenda (CG-249). In some instances the requirements have been extended to services other than international voyages for the purpose of taking advantage of improved materials, equipment, methods, procedures, or arrangements.

21. In 46 CFR Part 90, regarding general provisions for cargo and miscellaneous vessels, it is proposed to amend 46 CFR 90.05-1, 90.05-10, 90.10-7, 90.15-1, 90.20-5, and to add 46 CFR 90.10-30 de-

fining a nuclear vessel.

22. In 46 CFR Part 91, regarding inspection and certification of cargo and miscellaneous vessels, it is proposed to amend 46 CFR 91.01-10, 91.20-15, 91.25-10, 91.60-1 and to add 46 CFR 91.60-5 describing conditions applicable nuclear vessels on international voyages.

23. In 46 CFR Part 93, regarding stability of cargo and miscellaneous vessels. it is proposed to amend 46 CFR 93.05-1 and 93.15-5.

24. In 46 CFR Part 94, regarding lifesaving equipment for cargo and miscellaneous vessels, it is proposed to amend 46 CFR 94.10-1, 94.10-5, 94.10-10, 94.10-30, 94.10-40, 94.10-55, 94.10-90, 94.15-1, 94.15-10, 94.15-90, 94.20-1, 94.20-10, 94.20-15, 94.20-90, 94.25-1, 94.25-10, 94.25-90, 94.33-1, 94.33-5, 94.33-90, 94.35-5, 94.40-1, 94.40-5, 94.40-10, 94.40-94.33-90. 90, 94.43-1, 94.43-5, 94.43-10, 94.43-90, 94.50-1, 94.50-5, 94.50-90 and 94.55-1 and to add 46 CFR 94.50-15 regarding illumination for liferaft stowage areas.

25. In 46 CFR Part 95, regarding fire protection equipment for cargo and miscellaneous vessels, it is proposed to amend 46 CFR 95.05-1, 95.05-20, 95.10-1, 95.10-5, 95.10-10, 95.10-15, 95.10-90 and 95.15-5 and to delete 46 CFR 95.20-1 to 95.20-90 regarding water spray extinguishing systems and § 95.50-10(e) regarding location of portable extinguishers.

26. In 46 CFR Part 96, regarding vessel control and miscellaneous systems and equipment for cargo and miscellaneous vessels, it is proposed to amend 46 CFR Subpart 96.30, consisting of §§ 96.30-1 to 96.30-90, inclusive, regarding protection from refrigerants, and to add 46 CFR Subpart 96.35, consisting of §§ 96.35-1 to 96.35-90, inclusive, regarding a "fireman's outfit."

27. In 46 CFR Part 97, regarding operations of cargo and miscellaneous vessels, it is proposed to amend 46 CFR 97.13-15, 97.15-35, 97.37-37, 97.37-40 and 97.37-43 and to add 46 CFR Subpart 97.44, consisting of §§ 97.44-1 and 97.44-5, regarding "lifesaving signals."

28. The authority to prescribe regulations regarding inspection of vessels is

cable, portions of the regulations will in R.S. 4405, as amended and 4462, as amended (46 U.S.C. 375, 416), and section 632 of Title 14, U.S. Code. As applicable, portions of the regulations will interpret or apply specific statutory provisions as set forth in 46 CFR 90.01-10.

ITEM XIIC-TANK VESSELS

29. It is proposed to amend 46 CFR Parts 30 to 35, inclusive, in Subchapter D, Rules and Regulations for Tank Vessels, in order to incorporate the requirements contained in the International Convention for the Safety of Life at Sea, 1960. Reference to some specific regulations of the 1960 SOLAS Convention will be found opposite the amendments in the Agenda (CG-249). In some instances, the requirements have been extended to services other than international voyages for the purpose of taking advantage of improved materials, equipment, methods, procedures, or arrangements.

30. In 46 CFR Part 30, regarding general provisions for tank vessels, it is proposed to amend 46 CFR 30.01-5, 30.10-36, 30.15-1 and to add 46 CFR 30.01-6 describing application of regulations to tank ships on international voyages, and § 30.10-44, defining a nuclear vessel.

31. In 46 CFR Part 31, regarding inspection and certification of tank vessels, it is proposed to amend 46 CFR 31.01-1 31.05-10, 31.10-15, 31.10-30, 31.30-1 and 31.40-1 and to add 46 CFR 31.01-5 regarding scope of initial inspection, and § 31.40-5 applying regulations to nuclear vessels on international voyages.

32. In 46 CFR Part 33, regarding lifesaving appliances for tank vessels, it is proposed to amend 46 CFR 33.01-30, 33.05-1, 33.05-2, 33.05-25, 33.07-5, 33.07-15, 33.07-20, 33.07-25, 33.10-1, 33.10-5, 33.10-10, 33.15-1, 33.15-5, 33.15-10, 33.15-25, 33.15-90, 33.20-1, 33.25-5, 33.35-1, 33.35-15, 33.40-1 and 33.40-5; to cancel 46 CFR 33.05-10 and 33.05-11; and to add 46 CFR 33.05-3 regarding lifeboats and liferafts on tank ships.

33. In 46 CFR Part 34, regarding firefighting equipment for tank vessels, it is proposed to amend 46 CFR 34.10-1. 34.10-5, 34.10-15, 34.10-90 and 34.15-5 and to delete 46 CFR 34.50-10(f) regarding location of portable extinguishers.

34. In 46 CFR Part 35, operations on tank vessels, it is proposed to amend 35.01-20, 35.10-5, 35.30-20 and 35.40-40 and to add 46 CFR 35.10-15 regarding radio apparatus for lifeboats, and a new Subpart 35.12, consisting of §§ 35.12–1 and 35.12–5, regarding "lifesaving signals."

35. The authority to prescribe regulations regarding tank vessels is in R.S. 4405, as amended, 4417a, as amended, 4462, as amended (46 U.S.C. 375, 391a, 416). These regulations also interpret or apply section 3 of the Act of August 9, 1954 (50 U.S.C. 198). The delegations of authority to the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; and 167-14, November 26, 1954, 19 F.R. 8026.

Dated: August 20, 1964.

E. J. ROLAND, [SEAL] Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 64-8805; Filed, Aug. 28, 1964; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 61 [New] 1

[Reg. Docket No. 6181; Notice 64-41]

HELICOPTER RATING EXPERIENCE REQUIREMENTS

Proposed Certification of Pilots and Flight Instructors

The Federal Aviation Agency is considering amending Part 61 [New] of the Federal Aviation Regulations to provide for increased experience requirements for pilots with an airplane rating who apply for an additional rotocraft category rating with a helicopter class rating.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before October 28, 1964, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Amendment 20-16, effective July 12, 1962, established a separate gyroplane and a helicopter class rating within the rotorcraft category rating because of the re-emergence of the gyroplane as a type certificated aircraft. That amendment also changed the requirement for obtaining an additional category rating (rotorcraft) by lowering from 25 to 15 the required hours of flight instruction and solo flight time. The reduction in the required flight instruction and solo flight time was made to avoid penalizing gyroplane pilots since the operation of a gyroplane is more similar to an airplane than is the helicopter. There was no specific requirement in the amendment that the flight experience be in the gyroplane or the helicopter, as appropriate to the class rating sought.

However, it has become apparent to the Agency that the large differences between gyroplane and helicopter operations do not permit the establishment of a meaningful standard of required flight experience that would apply to both the gyroplane and the helicopter. Moreover, past experience has shown that most pilots require more than 15 hours in order to acquire proper proficiency in the operation of a helicopter. Therefore, the Agency, without prejudicing different standards that may result from a comprehensive study being made for all categories and classes of aircraft, proposes to keep the 15-hour requirement for the gyroplane, but to restore the 25-hour requirement for the helicopter. This proposal to restore the 25hour requirement for the helicopter is also in accordance with a recommenda-

tion made by the Helicopter Association of America.

Under this proposal, § 61.17(b) would be amended so that the 15 hours of flight instruction and solo flight time applies only to gyroplanes and that 25 hours of that flight experience applies to helicopters. The five hours of required solo flight time included as part of the required flight experience would be retained in both cases. In addition, the substitution of a flight instructor recommendation for the flight time would be deleted in both cases since this is inconsistent with present standards in Part 61 [Newl for other ratings or certificate actions.

In consideration of the foregoing, it is proposed to amend Part 61 [New] by amending paragraph (b) of § 61.17 to read as follows:

§ 61.17 Additional aircraft ratings after original issue of certificate (other than airline transport or lighter-thanair).

(b) Rotorcraft. A pilot holding an airplane rating who applies for a rotorcraft rating must pass an appropriate flight test, and

(1) In the case of gyroplanes, have had a total of at least 15 hours of flight instruction from an appropriately rated flight instructor and solo flight time (at least 5 of which were solo) in gyroplanes; and

(2) In the case of helicopters, have had a total of at least 25 hours of flight instruction from an appropriately rated flight instructor and solo flight time (at least 5 of which were solo) in helicopters,

This amendment is proposed under the authority of sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1422).

Issued in Washington, D.C., on August 25, 1964.

James F. Rudolph, Acting Director, Flight Standards Service.

[F.R. Doc. 64-8785; Filed, Aug. 28, 1964; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 64-CE-11]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration; Correction

On July 31, 1964, F.R. Doc. 64–7626 was published in the Federal Register (29 F.R. 11130) and proposed to amend Part 71 by modifying the control zone and transition area at Bloomington, Ind. This notice inadvertently omitted a portion of the proposed description for the Bloomington transition area. Action is taken herein to correct this omission.

In consideration of the foregoing, F.R. Doc. 64–7626 (29 F.R. 11130) is amended by redescribing the proposed transition area description as hereinafter set forth.

2. In § 71.181 (29 F.R. 1160), the Bloomington, Ind., transition area would be altered to read:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Monroe County Airport, Bloomington, Ind., within 5 miles northwest and 8 miles southeast of the Bloomington VOR 236° True radial, extending from the VOR to 12 miles southwest, and within 5 miles south and 8 miles north of the Bloomington VOR 072° True radial, extending from the VOR to 12 miles east.

In order to allow interested persons sufficient time to evaluate this proposal, as corrected herein, and an opportunity to submit additional written data, views, or arguments, the closing date for filing such material is extended to 30 days after the date of publication of this corrective amendment in the Federal Register. Communications should be submitted in triplicate to the Director, Central Region, Atten: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348)

Issued in Washington, D.C., on Au-, gust 24, 1964.

DANIEL E. BARROW, Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-8786; Filed, Aug. 28, 1964; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 131]

[No. 34468]

SAFETY REGULATIONS

Revision of Safety Appliance Standards Pertaining to Roof Running Boards

At a session of the Interstate Commerce Commission, Division 3, held at its office on the 18th day of August A.D. 1964.

Notice is hereby given pursuant to the provisions of section 4(a) of the Administrative Procedure Act (60 Stat. 237 5 U.S.C. 1003), and the authority of section 12 of Title 45 United States Code, that the Commission, on its own motion, but pursuant in part to the decision in Docket No. 33746 Drawbar Extensions on Pullman-Standard Hydroframe-60 Box Cars, decided November 12, 1963, has under consideration the revision of the United States Safety Appliance Standards with the view not only of revising the Standards so as to eliminate the requirement that roof running boards must extend within easy stepping distance apart, that is, "*, * * nor more than 10 inches from a vertical plane parallel with end of car and passing through the inside face or knuckle * * *" but also revision of the Standards so as to eliminate any requirement that roof running boards be installed, the thought being that roof running boards are no longer needed and that safety would be served

by discontinuing the requirement that

they be installed.

The Commission desires interested parties to present their views regarding the considered revision of the Standards for roof running boards and any interested person may, on or before December 1, 1964, submit written statements containing data, views, arguments, or suggestions to be considered in this matter and they may include a request for hearing, for oral argument or for both. One signed copy and 14 additional copies of such statements must be furnished for the use of the Commission by mailing to the Secretary of the Interstate Commerce Commission, Washington, D.C. The Commission thereafter will determine whether or not assignment of the matter for oral hearing is necessary or desirable.

- Notice of this proceeding shall be given to persons of interest and to the general public by posting a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., for public inspection and by filing a copy with the Director of the Division of the Federal Register for publication in the Federal REGISTER.

By the Commission, Division 3.

HAROLD D. McCoy, Secretary.

[F.R. Doc. 64-8795; Filed, Aug. 28, 1964; 8:47 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service CANNED PURPLE PLUMS

Notice of Purchase Program: FMP 96a

In order to encourage the domestic consumption of purple plums by diverting them from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, the U.S. Department of Agriculture offers to purchase canned purple plums packed from purple plums of the 1964 crop grown in the United States, for subsequent use in school lunch programs. Purchases will be made on an offer and acceptance basis as a surplus removal activity. Details and specifications of the invitation to offer this product are contained in Announcement FV-360 issued by the Department on August 25, 1964. Quantity purchased will depend upon quantities and prices offered. Information concerning this purchase program may be obtained from the Fruit and Vegetable Division, Agricultural Marketing Service, Department of Agriculture, Washington, D.C., 20250, or from Robert H. Eaton, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, 1218 Southwest Washington Street, Portland, Oreg., 97205.

(Sec. 32, 49 Stat. 774, as amended, 7 U.S.C. 612c)

Dated: August 25, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 64-8793; Filed, Aug. 28, 1964; 8:46 a.m.]

Office of the Secretary IOWA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafternamed counties in the State of Iowa natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Iówa

Allamakee. Bremer. Chickasaw. Clayton. Fayette. Floyd. Winneshiek.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1965, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 26th day of August 1964.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 64-8807; Filed, Aug. 28, 1964; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary MARVIN S. PLANT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the Federal Register during the past six months:

A. Deletions: No change. B. Additions: No change.

This statement is made as of August 15, 1964.

Dated: August 17, 1964.

MARVIN S. PLANT.

[F.R. Doc. 64-8787; Filed, Aug. 28, 1964; 8:46 a.m.]

[Appeals Board Docket No. FC-64]

SCM CORP. ET AL.

Appeals Board Decision

In the matter of SCM Corporation, formerly Smith-Corona Marchant, Inc., New York, N.Y., Victor G. Severin, San Gabriel, California, Olga J. Walker, Lausanne, Switzerland, G. M. Burt, Oakland, California, Marchant Rechenmaschinen G.m.b.H., Werner Lange, Heinz-Werner Goos, Hamburg-Billstedt, West Germany, Smith Corona (Canada) Limited, W. Ross Woodrow, Scarborough, Ontario, Canada, Abelardo Tous, Havana, Cuba, respondents; Appeals Board Docket No. FC-64.

This is an appeal by SCM Corporation, formerly Smith-Corona Marchant Corporation, and all other respondents except Abelardo Tous, from an order of the Director, Office of Export Control, Bureau of International Commerce, dated January 14, 1964, denying export privileges to the various parties involved in the proceedings. The Director stayed the publication and effectiveness of the Order pending decision by the Appeals Board.

The proceeding below was initiated under the Bureau's regulations by a detailed letter of charges from its Investigations Division to the respondents. All

respondents except Tous replied to the charges and requested an oral hearing. Respondent Tous was held to be in default. The matter was thereupon referred to the Compliance Commissioner, who held a hearing of which a transcript of the testimony was prepared, accepted a number of exhibits, and received briefs submitted by the parties.

The Compliance Commissioner submitted a report to the Director containing findings and conclusions of violations of the export regulations based upon the evidence, together with his recommendations as to the sanctions to be imposed. The Director reviewed the entire record, adopted the findings, conclusions, and recommendations of the Compliance Commissioner, and issued the aforesaid order. The order contained the following sanctions with respect to future transactions involving U.S. exportations:

- 1. Respondent Tous, denial of all export privileges for the duration of export controls.
- 2. Respondent Severin, denial of all export privileges for eight months and probation for the balance of a two-year period.
- 3. Respondents Walker, Goos, and Lange, denial of all export privileges for four, two, and two months, respectively, with probation for the balance of a one-year period. The denial of Lange's privileges was to begin when Goos completed his two-month denial.
- 4. Respondent SCM Corporation, partial denial of export privileges limited solely to not making any physical exportation of commodities from the United States for two weeks, and probation for the balance of a three-month period.
- 5. Respondent Marchant Rechenmaschinen, no denial of export privileges, probation for one year.
- 6. Respondents Burt, Woodrow, and Smith Corona (Canada), no denial of export privileges, probation for three months for each.

The Compliance Commissioner's report and the Director's order denying export privileges fairly stated the various facts and issues in this case. The Board concurs in the findings of fact and conclusions of law contained in the order. There is no need to repeat them in full.

SCM Corporation (at the time of these events Smith-Corona Marchant, Inc.) is a corporation with a place of business in New York City. It is in the business of manufacturing and selling typewriters, calculating machines, and other office equipment. The company operates assembly and manufacturing plants through affiliated companies in Canada (Smith Corona (Canada) Limited), in West Germany (Merchant Rechenmaschinen G.m.b.H.), and in England.

The transactions as they developed involved two shipments: (1) a shipment by SCM from the United States to Marchant Rechenmaschinen (hereinafter called SCM-Hamburg) in West Ger-

many of calculating machine parts and its transshipment from there to Cuba, and (2) an attempted shipment from Canada to Cuba by Smith-Corona (Canada) of typewriter parts which originated with SCM in the United States. Both shipments were ordered by and directed to Mr. Tous, who had been a Smith-Corona dealer in Havana for a number of years.

On October 20, 1960, the Bureau issued export control regulations which in effect imposed an embargo prohibiting the shipment of certain U.S. commodities from the United States directly or indirectly via a third country to Cuba including the items involved herein. The regulations received widespread publicity in the various news media. Neither Mr. Severin nor Mrs. Walker at SCM in New York, notwithstanding their involvement in U.S. export trade, and the publicity, appears to have been cognizant of this embargo.

Mr. Tous initiated these transactions from Cuba by correspondence in November and December 1960, and by conferences in February 1961 with Mr. Severin in the New York office of SCM. Mr. Severin was Vice President of SCM in charge of its International Division, and Mrs. Olga J. Walker was his administrative assistant.

Mr. Tous in his first letter to Mr. Severin referred to the "present restrictions between our two countries" and his hope that they could continue business by Tous' importing the equipment from Canada and West Germany. Mr. Severin in his reply agreed with Mr. Tous' proposal about the feasibility of sending to Cuba SCM typewriters from Canada and calculating machines from Germany. Mr. Severin's testimony at the hearing was to the effect that he thought the difficulties were then due to Cuban import restrictions. Mr. Tous visited Mr. Severin at SCM in February 1961. It does not appear from the evidence that when they discussed Mr. Tous' desire to have SCM calculator and typewriter parts delivered to him in Cuba, that any question was raised as to the legality under U.S. law of such shipments. Mr. Tous was aware of the U.S. embargo.

Mr. Tous explained to Mr. Severin that because of Cuban currency restrictions it would not be possible for him to pay in U.S. dollars, but that he could pay in German and Canadian currencies if the parts were shipped to him from those countries. Mr. Severin agreed that this could be done, and asked Mrs. Walker to make the necessary arrangements.

They were to ship the calculator parts from the SCM factory at Oakland, California, of which Mr. Burt was manager of the Sales Accounting Department, to the SCM-Hamburg plant in Germany, where Mr. Goos was managing director and Mr. Lange was production manager. SCM-Hamburg was to be notified that when it received an order and payment from Mr. Tous, and it received the articles from SCM at Oakland, SCM-Hamburg was to ship them to Cuba. In addition, Mr. Woodrow, president and general manager of Smith-Corona (Canada), was to be advised, when an

order and payment were forthcoming from Mr. Tous, that he should ship typewriter parts (which originally came from the United States) directly from Canada to Mr. Tous in Cuba.

The Hamburg Transaction. Pursuant to an order from Mr. Tous in February 1961, and arrangements made by Mrs. Walker with Mr. Goos, calculator spare parts were shipped in April 1961 from SCM Oakland to SCM-Hamburg. The U.S. shipper's export declaration submitted by SCM to the Government in connection with this shipment stated that it was being exported under General License GRO, that the ultimate consignee was SCM-Hamburg and that the ultimate destination was Germany.

In June 1961 Mr. Lange visited the office of the U.S. Consulate General in Hamburg and inquired whether, in view of press reports about U.S. restrictions regarding Cuba, the re-export would be authorized. While it does not appear that he was then given a definite answer, doubt was expressed by the Consulate official as to the legality of shipping U.S.-origin material to Cuba. There is evidence that in July he was more categorically told by the Consulate that the parts should not be shipped. Mr. Lange contended that he was given the impression that he was to be given further advice and that he never received a definite denial

It was not until November 1961 that a letter of credit was opened by Mr. Tous to pay SCM-Hamburg for the shipment. The parts, priced at \$207.90, were sent by SCM-Hamburg without further inquiry, to Cuba by air freight on November 9, 1961. A declaration on the SCM-Hamburg commercial invoice signed by Messrs. Lange and Goos stated that the merchandise in question was a product of the industry of West Germany. Messrs. Lange and Goos explained that they made this statement because the letter of credit required it. and inasmuch as they had paid duty on these articles coming into Germany and had done some routine processing, they felt that the statement could be made.

In July 1961, a BIC investigator visited the office of SCM in New York and inquired about the transaction. Information was freely furnished to him. Mr. Severin was then out of the country. Mr. Severin met with the investigator on August 7, 1961, at which time, according to Mr. Severin's testimony, he learned for the first time of the Cuban embargo.

The BIC investigator apparently did not notify SCM officials during his visits in July and August that the shipment of calculator parts was still in the possession of SCM-Hamburg. On the other hand, although the investigator alerted Mr. Severin and Mrs. Walker as to the unlawful nature of the indirect shipment to Cuba, they made no attempt to communicate with SCM-Hamburg regarding the whereabouts of the goods before the transshipment to Cuba occurred.

Respondent Severin and Walker explained that they were unaware of the publicity concerning the U.S. imposition of the embargo because when it became effective the offices of Smith Corona

were being moved from Syracuse to New York, there was thereby confusion and a heavy work schedule, and Mr. Severin was in Europe at the time.

The Canadian Transaction. Corona (Canada) received an order for spare typewriter parts from Mr. Tous on March 3, 1961. A copy of the order went to SCM in New York. Mrs. Walker, pursuant to Mr. Severin's instructions, notified Mr. Woodrow of the situation. The Canadian company received payment from Mr. Tous in May 1961 in the total value of \$213.85 for the parts. The order was packed for shipment, sent to seaboard, and, in accord with Canadian law, an application for a permit to export the goods was filed with the Canadian Government. The export permit was refused by the Canadian authorities because, the goods being truthfully declared as of U.S.-origin, Canada was not issuing permits for reexport of U.S.-origin goods to Cuba. The shipment was not made.

As previously indicated the Board is in basic agreement with the findings and conclusions of the Compliance Commissioner and the Director, Office of Export Control. Because of certain circumstances hereinafter set forth, the Board is not in complete agreement as to the scope of sanctions imposed in the order below denying export privileges.

In attempting to reach a decision which will uphold and protect the Government's interest in control of exports, the Board has considered the circumstances with reference to each respondent.

Severin. Mr. Severin was a Vice President of SCM and in charge if its International Division. He held a responsible position with large salary. His actions in this matter set off a chain reaction which resulted in violations, properly attributed to SCM as the responsible employer, in the California, Canadian, and German branches or affiliates of SCM, as well as its New York office. After carefully considering all of the evidence and the factors and circumstances involved in this key point, the Board agrees with the Compliance Commissioner and the Director, and does not find that Mr. Severin acted with a wilful or deliberate intent to violate the law. However, there is no question that the failure of this key official to keep himself and his company informed about the export regulations involved here, and his acceptance at face value of Mr. Tous' proposal, was gross negligence. Mr. Severin admitted his negligence, as he did his failure to inquire of the German affiliate whether the goods were still there, following the investigator's visit. In this latter regard, there is some reason to believe that Mr. Severin received the impression that the goods had already been transshipped to Cuba. He was completely open in his handling of the transaction and in his disclosures to the investigator. Mr. Severin lost his position with SCM and was out of work for some months. He now has a responsible position with another company and is engaged wholly in export transactions.

Mrs. Walker. As an assistant to Severin, experienced in export trade and

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controls, she was chargeable with notice of the Bureau's embargo regulations relating to Cuba. She, like Mr. Severin, accepted Mr. Tous' story and failed to ascertain the true nature of the trading restrictions between the United States and Cuba. By her actions she assisted and encouraged the multiple violations. Her claim of unawareness of the regulations because at the time of the transactions company matters were in a state of flux due to the SCM office move from Syracuse to New York, and Mr. Severin's being in Europe a large part of the time. although it may explain certainly does not excuse her actions. She appears to be in the same negligent position vis-avis violations as Severin.

Goos and Lange. It appears that these officials of SCM-Hamburg were aware of some restriction on reexport of U.S.-origin goods to Cuba. They are to be commended for initially making inquiry of the U.S. Consulate. However, not only did they transport the goods in the face of a warning from the Consulate, but they endorsed a declaration on the shipping invoice to the effect that the merchandise was a product of West Germany. Their explanation of this misstatement was unconvincing.

Burt, Woodrow, SCM (Canada), and SCM-Hamburg. While there were violations and they were chargeable with knowledge as to the U.S. embargo, there does not appear to be the same degree of culpability as to the respondents above

mentioned.

SCM. It was clearly responsible for acts of its vice president and other officials. With a sizeable international business, it was incumbent on it to be aware of such matters as the Cuban embargo. The company is one of the largest manufacturers of typewriters and rotary calculators in the United States. Its annual export sales have currently ranged from 5 to more than 7 million dollars, with a constant flow of parts and equipment. The transactions in question were not indicative of the regular course of SCM's foreign business but were isolated instances. The company has taken steps to insure strict compliance with the export regulations. While SCM claims that its corporate image will be damaged by any adverse denial action, it is to be noted that it had, in effect, anticipated the possibility of such action. In its SEC Prospectus for sale of stock, dated October 11, 1962, and introduced by SCM as an Exhibit, the following statement appeared on page 12:

On October 3, 1962, the United States Department of Commerce instituted administrative proceedings against the Company on the basis of an allegation that in 1961 the Company violated the Export Control Act of 1949 by shipping a few hundred dollars worth of calculator parts to Cuba and attempting to ship a small quantity of typewriter parts to Cuba. The Company is investigating this alleged violation in order to prepare an answer. It is not possible to predict the outcome of this proceeding, but in the event the allegation is sustained, the Department of Commerce has authority to impose a number of penalties, including suspension or denial of the right to export products from the United States.

With due allowance to the culpability, negligence, Cuban destination, and other matters involved in this case, the Board feels that there are certain circumstances which, while not detracting from the violations, should be considered in extenuation when the question of the scope of sanctions is concerned.

(1) The values of the transshipment from Germany and attempted shipment from Canada were nominal, and the nature of the commodities was of no stra-

tegic significance.

(2) This was an isolated transaction and not part of any pattern of indifference to or disregard of export control regulations.

(3) There was full and complete cooperation as to any records or facts with regard to the BIC's investigation.

(4) The violations occurred more than three years ago, the parties are trustworthy, and there appears to be nothing to be gained by imposing more stringent sanctions than determined herein.

The Board is fully aware of the effect on export controls of illegal transshipments to countries whose interests are inimical to ours. Even a small transaction involving certain commodities may be of some benefit to an unfriendly nation. However, the Board feels that justice will be served and the interests of the United States sufficiently protected by affirming and partly modifying the sanctions contained in the Director's order of January 14, 1964, in the following respects:

(1) Respondents Severin, Walker and Goos, denial of all export privileges for a period of one year with restoration of privileges one month after the effective date of the order, and probation for bal-

ance of the period.

(2) Respondent Lange, denial of all export privileges for a period of eleven months commencing one month from the effective date of this order, with restoration of privileges one month thereafter, and probation for balance of the period.

(3) Respondent Marchant Rechenmaschinen, affirmed in full.

(4) Respondents SCM Corporation, Burt, Woodrow, Smith Corona (Canada), denial of export privileges for three months, but denial to be held fully in abeyance and respondents placed on probation for the entire period.

The Board has considered the various legal points raised by respondents in the respective briefs. Insofar as the violation of the regulations, the authority of the regulations, and the various other legal points raised are concerned, they are overruled.

Counsel for respondents have requested that, in case of adverse decision, the effective date of the Appeals Board decision be stayed for 20 days to permit recourse to court, if necessary.

Now, therefore, in accord with the above, it is hereby ordered:

I. Effective twenty days from the date of this order, respondent Tous for the duration of export controls, and except as qualified in Part III hereof, respondents Severin, Walker, Goos, Marchant Rechenmaschinen G.m.b.H., for a period of one year; respondent Lange for a

period of eleven months commencing one month from the effective date of this order; and respondents SCM Corporation, Smith-Corona (Canada) Limited, Woodrow, and Burt, for a period of three months, are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction either in the United States or abroad shall include participation: (a) as a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or re-exportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

II. The privileges denied under Part I herein shall extend not only to the respondents, but also to their agents and employees and to any successor and to any person, firm, corporation, or other business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected

therewith.

III. (A) As to the respondents SCM Corporation, Smith Corona (Canada) Limited, Marchant Rechenmaschinen, G.m.b.H., Woodrow and Burt, the provisions of Part I hereof shall be held in abeyance for the entire period of denial and the respondents shall be on probation under the conditions set forth in (C) of this part.

(B) (1) As to respondents Severin, Walker, and Goos, the privileges denied under Part I hereof shall be restored conditionally one month after the effective date of this order; (2) as to respondent Lange said privileges shall be restored conditionally one month after the denial becomes effective as to him; and thereafter said respondents Severin, Walker, Goos and Lange shall be on probation for the remainder of their respective denial periods under the conditions set forth in (C) of this part.

(C) The conditions referred to in A and B of this part are that the respondents named therein shall fully comply with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

IV. Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that any respondent has knowingly failed to comply with the requirements and conditions of this order or with the conditions of proba-

tion, said official at any time, with or without prior notice to said respondent. by supplemental order, may revoke the probation of said person and effectuate the denial of export privileges for a period up to or equal to the period of probation. Such order shall not preclude the Bureau of International Commerce from taking further action for any violation as shall be warranted. Any person affected by a supplemental order revoking without notice his probation, may file objections and request that such order be set aside, and may request an oral hearing, as provided in Section 382.16 of the Export Regulations, but pending such further proceedings, the order of revocation shall remain in effect.

V. During the time when any respondent or other person within the scope of this order is prohibited from engaging in any activity within the scope of Part I hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any respondent or other person denied export privileges within the scope of this order, or whereby any such respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United

Dated: August 4, 1964. Effective: August 24, 1964.

BERNARD A. STOL,
Acting Chairman, Appeals Board.

[F.R. Doc. 64-8798; Filed, Aug. 28, 1964;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDU-CATION, AND WELFARE

Food and Drug Administration HUMBLE OIL & REFINING CO.

Notice of Filing of Petition Regarding Food Additive Synthetic Isoparaffinic Petroleum Hydrocarbons

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition

(FAP 5A1497) has been filed by Humble Oil & Refining Company, P.O. Box 2180, Houston 1, Texas, proposing the issuance of a regulation to provide for the safe use of synthetic isoparaffinic petroleum hydrocarbons as a defoaming agent in processing beet sugar and yeast with a limitation of 150 parts per million in yeast, measured as hydrocarbons.

Dated: August 24, 1964.

MALCOLM R. STEPHENS, Assistant Commissioner for Regulations.

[F.R. Doc. 64-8800; Filed, Aug. 28, 1964; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-163]

GENERAL DYNAMICS CORP.

Notice of Proposed Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission proposes to issue Amendment No. 10, set forth below, to Facility License No. R-67, as amended. The license authorizes General Dynamics Corporation to operate its TRIGA Mark F nuclear reactor located at Torrey Pines Mesa, California. The amendment would authorize General Dynamics Corporation (1) to perform certain thermoelectric experiments under revised license limitations, and (2) to operate the reactor at power levels up to and including 1.5 MWT for indefinite periods of time, as described in the licensee's application for license amendment dated January 27, 1964, and supplemental letters dated May 26, 1964, July 15, 1964, July 31, 1964, and August 21, 1964.

The Commission has found that:

(1) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(2) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

Within fifteen (15) days from the date of publication of this notice in the Federal Register, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's Regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing and (2) the licensee's application for license amendment which are available for public inspection at the Commission's Public Document Room,

1717 H Street NW., Washington, D.C., 20545. A copy of item (1) above may be obtained at the Commission's Public Document Room, or upon request, addressed to the Atomic Energy Commission, Washington, D.C., 20545. Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 28th day of August, 1964.

For the Atomic Energy Commission.

SAUL LEVINE, Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing,

[License No. R-67 Amdt. 10]

License No. R-67, as amended, issued to General Dynamics Corporation, is hereby amended in the following respects: In addition to the activities previously au-

In addition to the activities previously authorized by the Commission in License No. R-67, as amended, General Dynamics Corporation is authorized: (1) to conduct incore irradiations of no more than three thermoelectric cells simultaneously provided that each cell is not irradiated for more than 2500 hours and provided that the reactor will not be pulsed while any thermoelectric experiment is in the core; (2) to operate the reactor at power levels up to and including 1.5 MWT for indefinite periods of time; as described in its application for license amendment dated January 27, 1964, and supplemental letters dated May 26, 1964, July 15, 1964, July 31, 1964, and August 21, 1964.

This amendment is effective as of the date of issuance.

Date of issuance:

For the Atomic Energy Commission.

SAUL LEVINE, Chief, Test and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-8889; Filed, Aug. 28, 1964; 12:10 p.m.]

[Docket No. 50-212]

GENERAL DYNAMICS CORP.

Notice of Proposed Issuance of Construction Permit and Facility License

Please take notice that the Atomic Energy Commission proposes to issue to the General Dynamics Corporation a construction permit substantially in the form annexed which would authorize the construction of a Fast Critical Assembly type nuclear reactor on the corporation's laboratory site at Torrey Pines Mesa, California. Notice is also hereby given that if the Commission issues the construction permit, the Commission may without further prior public notice convert the construction permit to a Class 104 license authorizing operation of the reactor by General Dynamics Corporation if it is found that construction of the reactor has been completed in compliance with the terms and conditions contained in the construction permit and that the reactor will operate in conformity with the application and the provisions of the Atomic Energy Act of 1954, as amended, and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of such license would not be in accordance with the provisions of the Act.

The Atomic Energy Commission has found that:

A. The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

B. The reactor will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter I, CFR, Part 50, "Licensing of Production and Utilization Facilities";

C. The reactor will be used in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act");

D. General Dynamics Corporation is financially qualified to construct the reactor in accordance with the regulations contained in Title 10, Chapter I, CFR, to assume financial responsibility for the payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time;

E. General Dynamics Corporation is technically qualified to design and construct the reactor;

F. General Dynamics Corporation has submitted sufficient technical information concerning the proposed facility to provide reasonable assurance that the proposed facility can be constructed and operated at the proposed location without endangering the health and safety of the public:

G. The issuance of the proposed construction permit and facility license will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the proposed issuance of the construction permit and facility license may file a

petition for leave to intervene. Any request for a hearing or petition for leave to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued.

For further details with respect to this proposed issuance, see (1) the application and (2) a related hazards analysis prepared by the Test and Power Reactor _ Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 28th day of August 1964.

For the Atomic Energy Commission.

SAUL LEVINE. Chief, Test and Power Reactor Safety Branch, Division of

Reactor Licensing.

[Docket No. 50-212]

PROPOSED CONSTRUCTION PERMIT

1. By application dated August 19, 1963. and amendments thereto dated September 27, 1963, December 2, 1963, June 30, 1964, and August 27, 1964 (hereinafter collectively referred to as "the application") General Dynamics Corporation requested a Class 104 license authorizing construction and eration on the applicant's site at Torrey Pines Mesa, California, of a Fast Critical Assembly type nuclear reactor (hereinafter referred to as "the reactor").

2. Pursuant to the Act and Title 10, CFR Part 50, "Licensing of Production and Utiliza-tion Facilities", the Commission hereby issues a construction permit to General Dvnamics Corporation to construct the reactor in accordance with the application. This permit shall be deemed to contain and be subject to the conditions specified in Sections 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The earliest completion date of the facility is September 18, 1964. The latest completion date of the facility is October 31, 1964. The term "completion date", as used herein, means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The reactor shall be constructed and located at the location near Torrey Pines Mesa, California, specified in the application.

3. Upon completion of the construction of the reactor in accordance with the terms and conditions of this permit, upon finding that the facility authorized has been con-structed and will operate in conformity with the application and the provisions of the Act and of the rules and regulations of the Commission, upon filing of proof of financial protection and execution of an indemnity agreement as required by Section 170 of the Act, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the Act, the Commission will issue a Class 104 license to General Dynamics Corporation pursuant to Section 104c of the Act, which license shall expire one year after the date of this construction permit.

For the Atomic Energy Commission.

[F.R. Doc. 64-8890; Filed, Aug. 28, 1964; 12:10 p.m.]

CIVIL AERONAUTICS BOARD

[Docket 11933]

- AEROLINEAS ARGENTINAS

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding now assigned to be held on September 2, 1964, is postponed to September 9, 1964, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C.

Dated at Washington, D.C., August 26, 1964.

ESEAT.

LESLIE G. DONAHUE. Hearing Examiner.

[F.R. Doc. 64-8831; Filed, Aug. 28, 1964; 8:48 a.m.1

[Docket 15372]

COMPANIA MEXICANA DE AVIACION, S.A.

Notice of Prehearing Conference

Application of Compania Mexicana de Aviacion, S.A., Docket 15372, for amendment of its foreign air carrier permit authorizing it to provide service on the route: San Miguel, Island of Cozumel, Territory of Quintana Roo, Mexico-Miami, Florida.

Notice is hereby given that the prehearing conference on the above-entitled application is reassigned to be held on September 3, 1964, at 10 a.m., e.d.s.t., in Room 701, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., August 27. 1964.

[SEAL]

BARRON FREDRICKS. Hearing Examiner.

[F.R. Doc. 64-8879; Filed, Aug. 28, 1964; 10:38 a.m.]

FARM CREDIT ADMINISTRATION

[Farm Credit Administration Order No. 700]

DEPUTY GOVERNOR AND DIRECTOR OF LAND BANK SERVICE

Authority and Order of Precedence of Certain Officers To Serve

AUGUST 25, 1964.

1. George R. Burns, Deputy Director of Land Bank Service (Chief of Appraisals), is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director is unavailable to act by reason of his absence or for any other cause.

2. Marion K. Mathews, Jr., Deputy Director of Land Bank Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director and Deputy Director (Chief of Appraisals) Burns are unavailable to act by reason of absence or for any other cause.

3. Carroll K. Cardwell, Associate Chief of Appraisals, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director, Deputy Director (Chief of Appraisals) Burns, and Deputy Director Mathews are unavailable to act by reason of absence or for any other cause.

- 4. Frank R. Hillman, Assistant Deputy Director of Land Bank Service, is hereby authorized to exercise and perform all functions, powers, authority, and duties pertaining to the office of Deputy Governor and Director of Land Bank Service in the event that the Deputy Governor and Director, Deputy Director (Chief of Appraisals) Burns, Deputy Director Mathews and Associate Chief of Appraisals Cardwell are unavailable to act by reason of absence or for any other cause.
- 5. This order shall be and become effective on the date above written and supersedes Farm Credit Administration Order No. 694 (28 F.R. 501).

Harold T. Mason,
Acting Governor,
Farm Credit Administration.

[F.R. Doc. 64-8796; Filed, Aug. 28, 1964; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12604 etc.; FCC 64M-809]

BLUE ISLAND COMMUNITY BROAD-CASTING CO., INC., ET AL.

Order Extending Procedural Dates

In re applications of Blue Island Community Broadcasting Co., Inc., Blue Island, Illinois, Docket No. 12604, File No. BPH-2458; Elmwood Park, Broadcasting Corporation, Elmwood Park, Illinois, Docket No. 13294, File No. BPH-2636; for construction permits and Evelyn R. Chauvin Schoonfield (WXFM), Elmwood Park, Illinois, Docket No. 13296, File No. BRH-179; for renewal of license.

The Hearing Examiner having under consideration a "Motion for Extension of Procedural Dates" filed August 7, 1964, on behalf of applicants Blue Island and Mrs. Schoonfield requesting extension of certain procedural dates as listed below:

It appearing, that counsel for the Broadcast Bureau has informally advised counsel for movants that he has no objection to a grant of the subject motion, and that good cause is shown in their pleading for affording them the additional time being sought to pursue discussions that may lead to an earlier resolution of this proceeding:

Accordingly, it is ordered, This 25th day of August 1964, that the aforementioned extension motion of the applicants is granted, and the procedural dates concerned are extended as follows:

Procedure	From	То
Exchange of exhibits Notifications as to witnesses Evidentiary hearing	1964 Sept. 14_ Oct. 2 Oct. 26	1964 Oct. 14 Nov. 4 Nov. 16

Released: August 26, 1964.

Federal Communications
Commission,
Ben F. Waple,

[SEAL] BEN F. WAPLE, Secretary.

[F.R. Doc. 64-8812; Filed, Aug. 28, 1964; 8:48 a.m.]

[Docket Nos. 15584, 15585] .

VAUGHN-HANSSEN CO. AND CAPE CANAVERAL BROADCASTERS, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of R. A. Vaughn and Thomas R. Hanssen d/b as Vaughn-Hanssen Company, not incorporated, Melbourne, Florida, Docket No. 15584, File No. BP-14,921, Requests: 1560 kc, 5 kw, DA-Day, Class II; Cape Canaveral Broadcasters, Incorporated, Eau Gallie, Florida, Docket No. 15585, File No. BP-15,570, Requests: 1560 kc, 5 kw, Day, Class II; for construction permits.

The Commission, by the Chief of the Broadcast Bureau under delegated authority, considered the above-captioned applications on August 24, 1964;

It appearing, that, except as indicated by the issues specified below, each of the applicants is legally, technical, financially, and otherwise qualified to construct and operate as proposed; and

It further appearing, that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The above-listed applications are mutually exclusive in that concurrent operation would result in mutually destructive interference.

2. Both proposals would cause objectionable interference to the existing operation of Station WORT, New Smyrna Beach, Florida.

3. The aerial photographs submitted by Cape Canaveral Broadcasters are not sufficiently clear to determine whether or not there are any structures within the immediate vicinity of the proposed antenna system which tend to distort the proposed antenna radiation pattern.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operations and the availability of other primary services to such areas and populations.

2. To determine whether either of the proposals would cause objectionable interference to Station WORT, New Smyrna Beach, Florida, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the proposal of Cape Canaveral Broadcasters Incorporated is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna radiation pattern.

4. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

5. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest, in light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

(a) The background and experience of each having a bearing on the applicant's ability to own and operate the proposed standard broadcast station.

(b) The proposals of each of the applicants with respect to the management and operation of the proposed stations.

(c) The programming services proposed in each of the applications.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

It is further ordered, That, in the event of a grant of either application, the construction permit shall contain the following condition: "Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded."

It is further ordered, That Radio New Smyrna, Inc., licensee of Station WORT, New Smyrna Beach, Florida, is made a party to the proceeding.

party to the proceeding.

It is further ordered, That, in view of the decision of the United States Court of Appeals in Kessler v. F.C.C., 1 R.R. 2d 2061, and the Commission's Order of May 13, 1964 (FCC 64-433) accepting the Cape Canaveral Broadcasters application, the "Petition to Deny" filed by that applicant on May 25, 1962 is hereby dismissed as moot.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission rules, in person or by attorney shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date

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fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible, and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: "To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated."

Released: August 25, 1964.

[SEAL]

Federal Communications Commission, Ben F. Waple, Secretary.

[F.R. Doc. 64-8813; Filed, Aug. 28, 1964; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

CITY OF ANCHORAGE AND SEA-LAND SERVICE, INC.

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Sea-Land Service, Inc., P.O. Box 1050, Newark 1, N.J.

Agreement No. T-1685, between city of Anchorage (Anchorage), and Sea-Land Service, Inc. (Sea-Land), is a 10-year lease providing for the preferential use of berth space and transit shed at Anchorage, Alaska. As rental, Sea-Land will pay \$290,000.00 per year plus \$1.00 per ton for each ton of cargo handled in

excess of 250,000 tons per year, in lieu of the payment of wharfage, dockage, handling, service and/or other charges customarily assessed for the use of the premises. Any cargo remaining in the possession of Sea-Land beyond the expiration of the normal free time periods as set forth in Port of Anchorage Terminal Tariff will be subject to the rates, charges and terms of said tariff.

Dated: August 26, 1964.

By Order of the Federal Maritime Commission.

Thomas Lisi, Secretary.

[F.R. Doc. 64-8801; Filed, Aug. 28, 1964; 8:47 a.m.]

PORT OF OAKLAND AND ENCINAL TERMINALS

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW.. room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with ref-erence to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 15 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Port of Oakland, 66 Jack London Square, Oakland, California, 94607

Agreement No. T-1702, between the port of Oakland (Port), and Encinal Terminals (Encinal), provides for the preferential assignment to Encinal of certain premises located in the port area of the city of Oakland, for a period of one year. Encinal will use the premises for the docking and mooring of vessels. for the loading, unloading, receipt, handling, storage, transporting, and delivery of cargo and for uses incidental thereto, in return for which it will pay Port 50 percent of all revenue from dockage, wharfage, wharf demurrage, and storage and 25 percent of all revenue from freight transfer service charges. Freight accepted for monthly storage will be assessed both the monthly storage rates and the receiving and delivery rates shown in Port's tariff. Encinal may also use the premises for the storage of cargo which has been discharged from a vessel berthed at the adjoining premises leased from Port by Encinal and covered by

Federal Maritime Commission Agreement No. 8335. Encinal agrees that its rates, charges, regulations and practices will conform as nearly as possible to those set forth in Port's tariff and that no change will be made in such rates, charges, regulations and practices without the prior written approval of the Port.

Datéd: August 26, 1964.

By Order of the Federal Maritime Commission.

Thomas Lisi, Secretary.

[F.R. Doc. 64-8802; Filed, Aug. 28, 1964; 8:47 a.m.]

PORT OF OAKLAND AND HOWARD TERMINAL

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington-office of the Federal Maritime Commission, 1321 H Street NW., room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 15 days after publication of this notice in the Federal Register. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Port of Oakland, 66 Jack London Square, Oakland, California, 94607

Agreement No. T-1701, between the port of Oakland (Port), and Howard Terminal (Howard), provides for the preferential assignment to Howard of certain premises located in the port area of the city of Oakland, for a period of one year. Howard will use the premises for the docking and mooring of vessels, for the loading, unloading, receipt, handling, storage, transporting, and delivery of cargo and for uses incidental thereto, in return for which it will pay Port 50 percent of all revenue from dockage, wharfage, wharf demurrage and storage and 25 percent of all revenue from freight transfer service charges. Freight accepted for monthly storage will be . assessed both the monthly storage rates and the receiving and delivery rates shown in Port's tariff. Howard agrees that its rates, charges, regulations and practices will conform as nearly as possible to those set forth in Port's tariff and that no change will be made in such rates, charges regulations and practices

without the prior written approval of the Port.

Dated: August 26, 1964.

By Order of the Federal Maritime Commission.

THOMAS LIST, Secretary.

[F.R. Doc. 64-8803; Filed, Aug. 28, 1964; 8:47 a.m.]

SMALL BUSINESS ADMINISTRA-TION

[Delegation of Authority No. 7.1; Amdt. 1]

CHIEFS, PROCUREMENT AND SUPPLY AND OFFICE SERVICES BRANCHES

Delegation of Administrative Activities

- I. Pursuant to the authority delegated to the Assistant Administrator for Administration by the Administrator, Delegation of Authority No. 7, 28 F.R. 13858, as amended, 29 F.R. 482, Delegation of Authority No. 7.1 is hereby amended by:
- 1. Revising Items I.C. and I.D. thereof to read as follows:

I. * * *

- C. Chief, Procurement and Supply Branch
- 1. To contract for supplies, materials and equipment, printing and special services.
- 2. To enter into contracts for supplies and services pursuant to Delegation of Authority No. 410, dated March 26, 1962 (27 F.R. 3017), from the Administrator of the General Services Administration to the Small Business Administration.
- 3. To enter into contracts for supplies and services required to effectuate the Delegation of Authority from the Secretary of Commerce to the Small Business Administration (26 F.R. 7974, as amended by 28 F.R. 190).
- 4. To issue government bills of lading, printing and binding orders, purchase orders, property passes, and tax exemption certificates.

D. Chief, Office Services Branch

To issue work orders, telephone orders, property and building passes, and authorize and approve repairs to machinery and equipment.

- 2. Revising Section II to read as follows:
- II. The specific authorities delegated herein may not be redelegated

EXCEPT: Item I.C.4 may be redelegated.

Effective date. August 24, 1964.

KEITH L. HANNA. Assistant Administrator for Administration.

[F.R. Doc. 64-8782; Filed, Aug. 28, 1964; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI65-148, etc.]

SCHERMERHORN OIL CORP. ET AL.

Order Permitting Substitution of Rate Filings, Providing for Hearings on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund 1

AUGUST 24, 1964.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

		Rate	Supple-		Amount	Date	Effective date	Date	Cent	s per Mei	Rate in effect
Docket No.	'Respondent	Sched- ule No.	ment No.	Purchaser and producing area	of annual increase	filing tendered	unless sus- pended	sus- pended until—	Rate in effect	Proposed increased rate	subject to refund in docket Nos.
RI65-148	Schermerhorn Oil Corp. (Operator), et al., P.O. Box 287, Tulsa, Okla.	1	6	El Paso Natural Gas Co., (Eu- mont Field, Lea County, N. Mex.) (Permian Basin Area).	\$175	7-28-64	² 8-28-64	3 8-29-64	6 15. 0533	4 5 7 15. 3993	RI60-40.
RI65-149	Schermerhorn Oil Corp., et al	2 4	3 3	do	671 176	7-28-64 7-28-64	² 8-28-64 ² 8-28-64	3 8-29-64 3 8-29-64	* 15.5 * 15.0533	4 8 7 8 15. 8563 4 8 7 15. 3993	RI60-40. RI60-81.
RI65-150	Schermerhorn Oil Corp.	.11	4	El Paso Natural Gas Co., (Jalmat Field, Lea County, N. Mex.) (Permian Basin Area).	1,003	7-28-64	² 8-28-64	3 8-29-64	15.0533	4 5 7 15, 3993	RI60-41.
RI65-151	Gulf Oil Corp., P.O. Box 1589, Tulsa, Okla., 74102.	253	1	Cities Service Gas Co., (Northwest Quinlan Field, Woodward County, Okla.) (Panhandle Area).	300	7-31-64	11 9 1-64	3 9 -2-64	1316.0	7 12 13 17.0	
RI64-803	fining Co., P.O. Box 9365, Fort	89	1 to 2	Cities Service Gas Co., (Christian Science Church Unit, Wood- ward County, Okla.) (Pan-	4,974	7-30-64	11 9- 1-64	39-2-64	13 1416. 0	7 12 13 14 17.0	
_	Worth, Tex., 76107.	88	1 to 2	handle Area). Cities Service Gas Co., (Canfield Unit, Woodward County, Okla.) (Panhandle Area).	319	7-30-64	11 9- 1-64	*9- 2-64	13 14 16. 0	7 12 13 14 17. 0	

² The stated effective date is the first day after expiration of the required statutory

The stated elective date is the first day after expiration of the required statutory notice.

The suspension period is limited to 1 day.

Tax reimbursement increase.

Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

School Tax.

Previously reported as 15.5 cents per Mcf, which is the rate for high-pressure gas (above 600 p.s.i.g.). Said rate is currently in effect subject to refund in Docket No. R160-40. The present tax increase applies to the 15.0533 cents per Mcf rate (15.5 cents less 0.4467 cent per Mcf compression charge) for low-pressure gas.
Pressure base is 14.65 psia.
Subject to reduction of 0.4467 cent per Mcf by buyer for low-pressure gas.
Previously reported as 15.5599 cents per Mcf, which is the rate for high-pressure gas (above 600 p.s.i.g.). Said rate is currently in effect subject to refund in Docket No. R160-81. The present tax increase applies to the 15.0533 cents per Mcf rate for low-pressure gas.

¹⁰ Previously reported as 15.5 cents per Mcf, which is the rate for high-pressure gas (above 600 p.s.i.g.). Said rate is currently in effect subject to refund in Docket No. R160-41. The present tax increase applies to the 15.0533 cents per Mcf rate (15.5 cents less 0.4467 cent per Mcf compression charge) for low-pressure gas.

11 The stated effective date is the effective date requested by Respondent.

12 Periodic rate increase

If Periodic rate increase.

Includes 1.0 cent per Mcf paid by buyer for gathering, dehydrating, and central point of delivery.

1 Previously reported at rates of 15.0 cents per Mcf before increase and 16.0 cents per Mcf after increase which did not include 1.0 cent per Mcf for gathering, dehydrating, and central point of delivery. Increased rate of 16.0 cents per Mcf suspended for 1 day until Sept. 2, 1984, in Docket No. R164-803.

Schermerhorn Oil Corporation (Operator), et al., and Schermerhorn Oil Corporation, et al., (both referred to herein as Schermerhorn) request waiver of notice with respect to their proposed rate filings. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Schermerhorn's proposed rate increases and such requests are denied.

The proposed rate increases filed by Schermerhorn include partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent effective April 1, 1963. The buyer, El Paso Natural Gas Company (El Paso), questions the right of Schermerhorn under the tax reimbursement clauses to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico

Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher tax rate of at least 0.55 percent, they claim there is controversy as to whether or not the new Legislation effected an increased tax rate in excess of 0.55 percent. Under the circumstances, the hearings provided for herein for Scher-

Does not consolidate for hearing or dispose of the several matters herein.

merhorn shall concern themselves with the use thereof deferred as hereinafter the contractual basis as well as the statutory lawfulness of Schermerhorn's proposed rate filings. Since the proposed increases reflect tax reimbursement, the suspension period for each may be shortened to one day from August 28, 1964, the date of expiration of the statutory notice.

Gulf Oil Corporation's (Gulf) related contract was executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed rate is above the applicable area ceiling for increased rates but does not exceed the applicable ceiling price for initial rotes in the area involved. We believe, in this situation, Gulf's rate filing should be suspended for one day from September 1, 1964, the proposed effective

Champlin Oil & Refining Company (Champlin) tendered corrected rate filings reflecting an increased rate of 17.0 cents per Mcf which Champlin proposes to be substituted for previous rate filings proposing increases from 15.0 cents to 16.0 cents per Mcf contained in Supplements No. 2 to Champlin's FPC Gas Rate Schedules Nos. 88 and 89, respectively, and suspended by the Commission's order issued July 6, 1964, in Docket No. RI64-803, for one day from September 1, 1964. Champlin neglected to include a 1.0 cent per Mcf service charge in its previous filings. Under the circumstances, we believe it would be in the public interest to permit Champlin to substitute its instant rate filings for the rate filings now under suspension in Docket No. RI64-803. The suspension period for Champlin's superseding rate filings shall be the same as the suspension period in the aforementioned docket.

The producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Champlin's tendered corrected rate filings, designated as Supplement No. 1 to Supplement No. 2 to Champlin's FPC Gas Rate Schedules Nos. 88 and 89, respectively, be permitted to be substituted for the rate increases involved in the proceeding in Docket No. RI64-803, and be suspended in said docket for one day from September 1, 1964.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis for Schermerhorn's proposed rate filings which El Paso has protested, and the statutory lawfulness of the rates and charges contained in all of the producers' rate supplements, and that the abovedesignated supplements be suspended and ordered.

The Commission orders:

(A) Champlin's proposed increased rate, from 16.0 cents to 17.0 cents per Mcf, contained in Supplement No. 1 to Supplement No. 2 to Champlin's FPC Gas Rate Schedules Nos. 88 and 89, respectively, is hereby substituted for the 15.0 cents to 16.0 cents per Mcf rate contained in Supplement No. 2 to Champlin's FPC Gas Rate Schedules Nos. 88 and 89, respectively, involved in Docket No. RI64-803, and is hereby suspended for one day from September 1, 1964.

(B) Pursuant to the authority of the Natural Gas Act, particularly Sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the contractual basis for Schermerhorn's proposed rate filings which El Paso has protested, as set forth above, and the statutory lawfulness of all of the producers' proposed changes contained in the above-designated supplements.

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: Provided, however, That the supplements to the rate schedules filed by respondents, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(D) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington. D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 7, 1964.

By the Commission.

[SEAL] GORDON M. GRANT, Acting Secretary.

[F.R. Doc. 64-8791; Filed, Aug. 28, 1964; 8:45 a.m.]

[Docket No. G-3894, etc.]

ATLANTIC REFINING CO. ET AL.

Findings and Order After Statutory Hearing

AUGUST 24, 1964.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, terminating certificate, permitting and approving abandonment of service, requiring refunds, making successor co-respondent, redesignating proceeding, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated in the tabulation here. in. All sales certificated herein are either equal to or below the ceiling prices established by the Commission's Statement of Policy 61-1, as amended, or involve sales for which certificates have been previously issued.

Sunac Petroleum Corporation (formerly Stekoll Petroleum Corporation) has filed in Docket No. CI64-1423 an application to continue a heretofore uncertificated sale of natural gas to El Paso Natural Gas Company. The sale was initiated by Oroco Oil & Gas Company at a rate of 10.0 cents per Mcf at 15.025 psia. Pursuant to a contract dated June 10, 1959, Stekoll began to make the subject sale to El Paso at 11.0 cents per Mcf. Inasmuch as the application filed May 28, 1964, is, in effect, a request for authorization by Sunac to continue the service initiated by Oroco, Sunac will be required to refund to El Paso all amounts collected in excess of 10 cents per Mcf from June 10, 1959, to May 28, 1964. Effective May 28, 1964, Sunac may collect 11.0 cents per Mcf. After the refund obligation has been satisfied, Sunac may file for any contractual rate change pursuant to section 4 of the Natural Gas Act and § 154.102 of the regulations thereunder.

Socony Mobil Oil Company, Inc. (Operator), et al., Applicant in Docket No. G-11957, proposes in its application of June 30, 1961, as amended on November 9, 1962, and January 14, 1963, to continue service from acreage in which it has acquired the working interest of C. E. The subject property is McCaughey. presently 'dedicated to Socony Mobil's FPC Gas Rate Schedule No. 20. The presently effective rate under said rate schedule is in effect subject to refund in

Docket No. G-20406. Accordingly, the certificate in Docket No. G-11957 will be amended to reflect the acquisition of McCaughey's working interest, and any amounts collected for sales of gas from the subject property will remain subject to refund in Docket No. G-20406.

The Atlantic Refining Company, Applicant in Docket No. G-3894, and Socony Mobil Oil Company, Inc. (Operator), et al., Applicant in Docket No. G-11957 (application of October 17, 1963), propose to continue sales of natural gas from acreage acquired from each other. The sales will be made pursuant to Atlantic's FPC Gas Rate Schedule No. 28 and Socony Mobil's FPC Gas Rate Schedule No. 20. The presently effective rates under said rate schedules are in effect subject to refund in Docket Nos. RI61-389 and G-20406, respectively. Accordingly, certificates heretofore issued in Docket Nos. G-3894 and G-11957 will be amended to reflect the exchange of properties, and the proceedings pending in Docket Nos. G-20406 and RI61-389 will be enlarged to include sales from prop-. erties acquired from each other. Atlantic and Socony Mobil will each remain liable for any refunds of amounts collected in excess of the amounts determined to be just and reasonable in Docket Nos. G-20406 and RI61-389 insofar as said proceedings pertain to sales from the subject properties prior to July 1. 1963, the effective date of the transfer of the properties.

E. L. Fundingsland, Applicant in Docket No. CI64-1101, proposes to continue in part the sale of natural gas heretofore authorized by a certificate issued in Docket No. G-14892 and rendered pursuant to a contract heretofore designated as United States Smelting, Mining and Refining Company FPC Gas Rate Schedule No. 8. A change in rate under said rate schedule has been suspended in Docket No. RI64-656 until September 2, 1964, and thereafter until made effective as prescribed by the Natural Gas Act. Accordingly, a certificate will be issued in Docket No. CI64-1101, the certificate issued in Docket No. G-14892 will be amended to delete therefrom authorization to render service from the subject acreage, the subject contract will also be designated as a rate schedule of Fundingsland, and Fundingsland will be made a co-respondent in the proceeding pending in Docket No. RI64-656.

After due notice a joint petition to intervene by Southern California Gas Company and Southern Counties Gas Company and a notice of intervention by the Public Utilities Commission of the State of California were filed in Docket No. G-11957 in the matter of the application filed June 30, 1961, in said docket. A notice of intervention was filed by the Public Utilities Commission of the State of California in Docket No. G-11957 in the matter of the application filed October 17, 1963, in said docket. A notice of intervention was filed by the Public Utilities Commission of the State of California in Docket No. G-3894. The joint petition to intervene and the notices of intervention have been withdrawn, and no other petitions to intervene, notices of intervention, or protests to the granting of any of the applications in this order have been received.

At a hearing held on August 20, 1964, the Commission on its own motion received and made part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

- (1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.
- (2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.
- (3) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.
- (4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.
- (5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-3894, G-11957, G-12043, G-12958, G-14892, CI62-797, CI63-26, CI63-678, CI63-1302, CI63-1429, and CI64-1405 should be amended as hereinafter ordered.
- (6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.
- (7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity here-

tofore issued in Docket No. G-13974, relating to the abandonment hereinafter permitted and approved, should be terminated.

- (8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate hereinafter issued in Docket No. CI64-1247 should be conditioned as were the certificates issued by the order accompanying Opinion No. 350 (27 FPC 35).
- (9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificate hereinafter issued in Docket No. CI64-1247 should be conditioned upon the filing of an acceptable rate schedule pursuant to \$154.92(b) of the regulations under the Natural Gas Act.
- (10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Sunac Petroleum Corporation should be required to refund all amounts collected from El Paso Natural Gas Company from June 10, 1959, to May 28, 1964, in excess of 10.0 cents per Mcf at 15.025 psia with respect to the sale of gas for which a certificate is hereinafter issued in Docket No. CI64-1423.
- (11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the proceedings pending in Docket Nos. G-20406 and RI61-389 should be enlarged to include sales by Socony Mobil Oil Company, Inc. (Operator), et al., and The Atlantic Refining Company on or after July 1, 1963, from properties acquired from each other pursuant to assignments herein designated as Supplement Nos. 18 and 19 to Socony Mobil's FPC Gas Rate Schedule No. 20 and Supplement Nos. 23 and 24 to Atlantic's FPC Gas Rate Schedule No. 28; and the agreements and undertakings heretofore accepted for filing in said proceedings should be construed to assure the refund of any excess charges which might result from the subject
- (12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that E. I. Fundingsland should be made a corespondent with United States Smelting, Mining and Refining Company in the proceeding pending in Docket No. RI64-656, and said proceeding should be redesignated accordingly.

The Commission orders:

- (A) Certificates of public convenience and necessity be and the same are hereby issued, upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements and exhibits in this consolidated proceeding.
- (B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act

¹Consolidated with Docket No. AR61-1, et al.

and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts, particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The orders issuing certificates in Docket Nos. G-3894, G-11957, G-14892 and CI63-678 be and the same are hereby amended by deleting therefrom authorization to sell natural gas, and in all other respects said orders shall remain in full

force and effect.

(E) The orders issuing certificates in Docket Nos. G-3894, G-11957, CI62-797, CI63-26, CI63-1302, CI63-1429 and CI64-1405 be and the same are hereby amended by adding thereto authorization to sell natural gas from additional acreage, and in all other respects said orders shall remain in full force and effect.

(F) The certificate issued in Docket No. CI64-1183 be and the same is hereby

conditioned as follows:

(a) The initial price shall not exceed 15.0 cents per Mcf at 14.65 psia including tax reimbursement plus Btu adjustment;

- (b) In the event that the Commission amends its Policy Statement No. 61–1 by adjusting the boundary between the Pan-handle area and the "Other" Oklahoma area so as to increase the initial wellhead price for new gas in the area of the sale involved herein, Applicant may thereupon substitute the new rate reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the rate herein required: and
- (c) The allowances for take-or-pay provisions and the upward Btu adjustment provisions in the related rate schedule are subject to the ultimate disposition with respect to such provisions in the rule-making proceedings in Docket Nos. R-199 and R-200; however, Applicant will not be required to file takeor-pay provisions for less than 80 percent of the annual contract quantities.
- (G) The certificate heretofore issued in Docket No. G-13974 be and the same is hereby terminated.
- (H) The orders issuing certificates in Docket Nos. G-12043 and G-12958 be

and the same are hereby amended by changing the certificate holder to the successor in interest as set forth in the tabulation herein.

- (I) The certificate issued in Docket No. CI64-1247 is conditioned upon the filing by Applicant of an acceptable rate schedule pursuant to § 154.92(b) of the Commission's regulations under the Natural Gas Act.
- (J) Sunac Petroleum Corporation shall refund to El Paso Natural Gas Company all amounts collected from June 10, 1959, to May 28, 1964, in excess of 10.0 cents per Mcf at 15.025 psia with respect to the sale of gas for which a certificate is herein issued in Docket No. CI64-1423.
- (K) Permission for, and approval of the abandonment of service by the respective Applicants, as hereinbefore described and as more fully described in the respective applications herein, are hereby granted.

(L) The related rate schedules and supplements are hereby accepted for filing subject to the applicable Commission Regulations under the Natural Gas Act and are effective and designated as indicated in the tabulation herein.

(M) The proceedings pending in Docket Nos. G-20406 and RI61-389 are hereby enlarged to include sales by Socony Mobil Oil Company, Inc. (Operator), et al., and The Atlantic Refining Company on or after July 1, 1963, from properties acquired from each other pursuant to assignments herein designated as Supplement Nos. 18 and 19 to Socony Mobil's FPC Gas Rate Schedule No. 20 and Supplement Nos. 23 and 24 to Atlantic's FPC Gas Rate Schedule No. 28: and the agreements and undertakings heretofore accepted for filing in said proceedings shall be construed to assure the refund of any excess charges which might result from the subject sales.

(N) E.L. Fundingsland be and is hereby made a co-respondent with United States Smelting, Mining and Refining Company in the proceeding pending in Docket No. RI64-656, and said proceeding is redesignated accordingly.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE, Secretary.

7-2-437		_	FPC rate schedule t	o be acce	pted
Docket No. and date filed	Applicant	Purchaser, field, and location	Description and date of document	No.	Supp.
G-3894 1 C&D 8-19-63	The Atlantic Refining	El Paso Natural Gas Co., Spraberry Trend Area, Midland County, Tex.	Assignment 6-28-63 2_ Assignment 6-27-63 2_ Effective date: 7-1-63_	4 28 28	23 24
G-11957 1 C&D 10-17-63	,	do	Assignment 6-27-633 Assignment 6-28-632	*20 20	18 19
G-11957 C 6-30-61	do	do	Amendatory Agree- ment 5-1-61 6	±20	13
11-9-62 * 1-14-63 *			Letter 8-31-53 7 Amendatory agree-	20	1–13
*CI61-1412 (G-12043) (G-12958)	Joseph E. Seagram & Sons, Inc., d/b/a Texas Pacific Oil Co. (succes-	Tennessee Gas Transmission Co., West Rock Island Field, Colorado County,	ment 10-26-59 2 Union Texas Natural Gas Corp., et al., FPC GRS No. 6.	20 7	2–13
A.3-29-61	sor to Union Texas Petroleum, a division of Allied Chemical Corporation.	Tex.	Supplement No. 1	7 7 7 8	1 2 3
CI62-797 C 7-9-64	Roy G. Hildreth, d/b/a Four H Drilling Co.	Hope Natural Gas Company, Spencer District,	Supplement No. 1	8 8 8 16	1 2 3 1
·C163-26	Thomas J. Blaho, Jr., d/b/a Blaho Oil & Gas	Roane County, W. Va. Equitable Gas Co., Troy District, Gilmer County, W. Va.	Letter agreement 11-29-63 10	6	3
OI63-1302 O:5-22-64 7-10-64	Co. Tenneco Oil Co	Oklahoma Natural Gas Gathering Corp., Ring- wood Field, Major Coun-	Supplemental agreement 5-12-64 70	22	2
C163-1429 C 6-30-64	Mike Abraham	ty, Okla. El Paso Natural Gas Co., Acreage in Rio Arriba	Supplemental agree- ment 6-18-64 10	-3	2
CI64-1101 (G-14892) A 3-16-64	E. L. Fundingsland (partial succession).11	County, N.M. El Paso Natural Gas Co., Ignacio Area, La Plata County, Colo.	Contract 1-18-56 Supplemental agree- ment 10-1-56.	13 3	<u>-</u>
6-1-64:11a		Common, Const	Assignment 11–19-63 Supplemental agree- ment 1–27-64.10	3	2 3
CI64-1149 A 3-31-64	Hyland Oil Corp. and G. G. Gabrielson.	Garfield Gas Gathering Co., South Sulphur Creek Field, Rio Blanco County, Colo.	Assignment 3-5-64 12 Contract 9-27-63 Letter 4-17-64 10	3 1 1	4 1
·CI64-1150 A 3-31-64	Pacific Natural Gas Ex- ploration Co.	Garfield Gas Gathering Co., Divide Creek, Garfield County, Colo.	Contract 3-17-64 Letter 4-17-64 ¹⁰	1	<u>i</u>

See footnotes at end of table.

Filing Code: A—Initial service.

B—A bandonment.

C—Amendment to add acreage. Amendment to delete acreage.

E-Succession.

² United States Smelting, Mining and Refining Company and E. L. Fundingsland.

			FPC rate schedule to be accepted	деээв өс	ted	1		,	FPO rate schedule to be accepted	ф ре ассер	ted
and date filed	Applicant	Purchaser, field, and location	Description and date of document	No.	gapp.	and date filed	Applicant P	Purchaser, field, and location	Description and date of document	No.	Supp.
CI64-1151 A 3-31-64	Granada Exploration & Development Co,	Garfield Gas Gathering Co., Mam Creek and Scandard Draw Areas, Garfield and	Contract 3-17-64 Letter 4-17-04 10			OI65-31 A 7-14-64	Union Texas Petroleum, a Division of Aliled Chemical Corp., et al.	Kansas-Nebraska Natural Gas Co., Inc., Pinto Field, Washington County,	Contract 5-8-64 10	22	
CI64-1152 A 3-31-64	Great Yellowstone Corp.	Gardel Gas Gathering Co., South Sulphur Creek	Contract 2-19-04 Letter 4-17-64 10	-H	F	O165-34 (G-16678) 28 B 7-15-64	•	Jope Natural Gas Co., Blackwater Anticline Field, Randolph County, W. Va.		83	H
C164-1165 A 3-81-64 C164-1166 A 4-3-64	California Oli Co., Western Division.	Golo. Garlold Gas Gathering Co., Mam Creek Area, Gar- fleid County, Colo. Garleid Gas Gathering Co., Divide Creek Area, Gar- fleid and Mess Countles.	Contract 3-20-64 Letter 3-20-64 Letter 4-17-64 W Contract 9-11-63 Letter 3-25-64 Letter 4-17-64 W	444698	122 122	O165-36 A 7-16-64 O1(6-39 (G-13974) B 7-16-64	American Petrofins Co. 1 of Texas. Columbian Carbon Co. 1 (Operator), et al.	El Paso Natural Gas Co, Dakota Fielda, Rio Arriba County, N. Mex. Hope Natural Gas Co, Blackwater Anticline Field, Randolph County, W. Va.	Contract 6-22-64 16	- 15 15	; H-
CI64-1183A 4-7-64	Brooks Hall (Operator), et al.	Colo. Panhadle Eastern Pipe Line Co., Leibert Unit. Major and Dewey Counties, Okla.	Ratification agree- ment 10-10-63. Contract 5-5-00. Assignment 4-8-63	<u>:</u> .н ннн	-10100	1 Applicants rec 2 Assignment of 3 Assignment of 4 Rate in effect to	1 Applicants request authorization to continue sales of gas to El Paso from various leases exchanged with each other. 2 Assignment of acceage from The Atlantic Roffmin Co., Lic., to The Atlantic Roffming Co. 3 Assignment of acceage from The Atlantic Roffmin Co., to Socony Mobil Oil Co., Lic. 4 Rate in effect subject to refund in Docket No. Rigin—339.	ne sales of gas to El Paso froi Oll Co., Inc. to The Atlan Refining Co. to Socony Mc No. RIGI-389.	m various leases exchanged vitte Refining Co.	witheach	other.
OI64-1218 A 4-16-64	Marathon Oil Co	Garfield Gas Gathering Co., Divide Creek Area, Mesa and Garfield Counties,	Assignment Contract 10 Amendator ment 3-10	_	4 14	Rate in effect Dedicates inte Agreement wi Supplement to	subject to refund in Docket rest acquired from C. E. Mc lereby C. E. McCaughey ra o June 30, 1961 filing.	No. G-20406. Caughey to Socony's contr tified Socony's contract.	ract.		
OI64-1247 A 4-22-64	Sunray DX Oil Co	Golo. Garfield Gas Gathering Co., Divide Creek, Mesa and	Letter 4-17-64 10 Contract 2-28-64	 -	61	Mate schodule DEffective dat Partially succ	s proviously accepted for music Date of initial delivery. esects U.S. Smelting, Refinition to certificate application filt	ng. g and Mining Co. FPC GI	RS No. 8.		
OI64-1371 A 5-14-64	Texaco Inc	Garfield Gas Gathering Co., Fawn Creek Unit, Rio	Contract 3-23-64 Letter 4-17-64 10	888	"	12 Effective dat 13 Proposed inct	e: Date of transfer of proper case to 14.0 cents per Mcf by	ties. 7 predecessor (Smelting) su	ispended until Sept. 2, 1964	in Dock	et No.
OI64-1400 A 5-22-64	The British-American Oil Producing Co.	binneo County, Colo. Garfield Gas Gathering Co., Divide Oreek Area, Gar- field County. Colo.	Contract 3-23-64	88	F	Mo rate scher 16 Sales from ad 16 Stekoll Petrol	ditional acreage covered by leum Corp. to Sunac Petrole	filed as part of certificate basic contract.	application.	Ç	,
OI64-1401 A 5-22-64	Northern Gas Corp	Michigan Wisconsin Pipe Line Co., Port Huron Area, Allegan County,	Contract 3-20-64 10			17 Partially suc- 18 Transfer of ac- 19 Partial transfer	seeds George L. Buckles, et reage from Buckles, et al. to er of acreage from George L.	al. FPO GRS No. 7 and Sholl. Buckles, et al. (FPO GRS	totally succeeds Euckles F S No. 7) to Shell Oil Co.	7. 5. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7.	
OI64-1405 O 7-6-64	Steve Gose (Operator), et al.	Arkansas Louisiana Gas Co., Kintaand Wilburton Floids, Haskell and Lati-	Contract 3-30-64 16	-i		2 After assignm Into a water injective date	what, 14, 1992 Contact missing ont to Shell, the only produc tron well.	ing gas zone in the one well	on this property was plugge	ed and co	verted
OI64-1423A 5-28-64	Sunac Petroleum Corp. (successor to Oroco Oll & Gas Co.).	mer Counties, Okla. El Paso Natural Gas Co., West Kutz Pictured Oliffs Field, San Juan County,	Contract 6-10-59 Effective date: 6-10-59. Name change: 6-7-62 10.	a a	: I	23 Previously to 24 Sold property	23 Previously terminated by order issued June 24, 1964 in Docket Nos. O.F64-117, et al.—Atlantic Seaboard Corp. 18 Sold property to Atlantic Seaboard Corp. for underground storage. [F.R. Doc. 64—8734; Filled, Aug. 28, 1964; 8:45 a.m.]	by ordor issued June 24, 1904 in Docket Nos. OF64-117, et al ic Seaboard Corp. for underground storage. [F.R. Doc. 64-8734; Filed, Aug. 28, 1964; 8:45 a.m.]	. OP64-117, et al.—Atlantic 64; 8:45 a.m.]	s Beaboar	dio 1
OI64-1469 (OI63-678) A 6-8-64	artial	N. Mox. El Paso Natural Gas Co., Langlio-Mattix Field, Lea County, N. Mox.	Effective George J al., FJ	304 208	1-1	. !			trates otherwise applicable under section 6 of the act. The effective and expira-	nder se and ex	section expira-
; ;			Notice 6-5-64			DEPAI	DEPARTMENT OF LABOR		tion dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under	and lass	arn- inder
В 6-22-64		Northern Natural Gas Co., Jaimat Field, Lea County, N. May	Assignment 1-0-94 " 12- Contract 3-17-52 Supplemental agree- ment 12-23-69	5	× ! !	Wage and	Wage and Hour Division	4	general learner regulations (29 CFF 522.1 to 522.9), and the principal prod	s (29 actpal	CFR prod-
	-		Letter agreement 2- 16-16 Letter agreement 6- 13-58		1	PLOYMEI CIAL MIR		SPE-	uct manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supple-	mploye ons pro the su	r are vided pple-
			Assignme Agreemer 6-13-64			Notice is hereby to section 14 of the	Notice is hereby given that pursuant to section 14 of the Pair Lahor Standards		mental industry regulations cited in the captions below are as established in those	cited i	n the those
O164-1654A 6-29-64	Joseph E. Sengram & Sons, Inc., d/b/a Texas Pacific Oil Co.	Gas Co., Inc., Badwater Unit, Frenchtand Natrona	Contract 6-8-64 10	'	!	Act of 1938 29 U.S.C. 20	Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administra-	<u> </u>	regulations. Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and	Reguls nended	tions
OI65-23 A 7-13-64	Alma Oringderff	Northern Natural Gas Co., Bradford Tonkawa and Bradford Cleveland Fields.	Contract 5-19-64 10	61		tive Order I firms listed	tive Order No. 579 (28 F.R. 11524) the firms listed in this notice have been is-	25	CFR 522.20 to 522.25, as amended). The following learner certificates were	s amen ificates	ded). were
O165-24 A 7-9-64	John L. Crawford	Lipscomb County, Tex. Northern Natural Gas Co., Joe "I" Field, Crockett County, Tex.	Contract 6-19-64 10			sued special employment rates lower	sued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage		issued authorizing the employment of ten percent of the total number of fac- tory production workers for normal labor	employment number of fa for normal la	nt of fac- labor

turnover purposes. The effective and expiration dates are indicated.

Alexandria Industrial Garment Manufacturing Co., Inc., Alexandria, Tenn.; effective 8-7-64 to 8-6-65 (men's work shirts).

Ashland Crafts, Inc., 18th Street and Carter Avenue, Ashland, Ky.; effective 8–8–64 'to 8-7-65 (children's dresses).

Bastian Manufacturing Corp., Bastian, Va.; effective 8-2-64 to 8-1-65 (men's and boys', ladies' and girls' shirts).

Bestform Foundations of Pennsylvania, Inc., Johnstown, Pa.; effective 8-3-64 to 8-2-65 (brassieres, corselettes, girdles).

Brookside Industries, Inc., Reidsville, N.C.; effective 8–12–64 to 8–11–65 (men's dress and sport shirts).

Calhoun Garment Co., a division of Kellwood Co., Calhoun City, Miss.; effective 8-8-64 to 8-7-65 (boys' and students' semidress trousers).

Colonial Corp. of America, Woodbury, Tenn.; effective 8-6-64 to 8-5-65 (sport shirts).

Dickson Manufacturing Co., Plant No. 1, Dickson, Tenn.; effective 8-8-64 to 8-7-65 (men's work shirts).

Edmonton Manufacturing Co., Edmonton, Ky.; effective 7-28-64 to 7-27-65 (men's cov-

eralls, pants and shopcoats).
Frackville Pajama Corp., Frackville, Pa.;
effective 7-29-64 to 7-28-65 (men's and boys' pajamas).

Garan, Inc., Clinton Division, Clinton, Ky.; effective 8-9-64 to 8-8-65 (boys' and men's

knit sport shirts).

Hatley Sportswear, Inc., Amory, Miss.; effective 8-12-64 to 8-11-65 (men's dress pants).

Jamestown Shirt Corp., Jamestown, Tenn.; effective 8-6-64 to 8-5-65 (men's sport shirts).

LaCrosse Sportswear Corp., LaCrosse, Va.; effective 8-3-64 to 8-2-65 (men's sport shirts).

Laurens Shirt Corp., Hillcrest Drive, Laurens, S.C.; effective 7-27-64 to 7-26-65 (men's dress and sport shirts).

Louisiana Industrial Garment Manufacturing Corp., Marchand Lane, Gonzales, La.; effective 8-6-64 to 8-5-65 (men's dress and work pants).

Ozark Manufacturing Co., Inc., Highway 231 By-Pass, Ozark, Ala.; effective 7-24-64 to 7-23-65 (ladies' blouses).

Plantersville Sportswear, Inc., Plantersville, Miss.; effective 8-5-64 to 8-4-65 (men's

Roydon Wear, Inc., McRae, Ga.; effective 8-8-64 to 8-7-65 (men's and boys' trousers

and outerwear shorts).

Henry I. Siegel Co., Inc., Hohenwald, Tenn.;
effective 8-3-64 to 8-2-65 (men's and boys' single pants).

Tioga Sportswear Corp., 641 Quarry Street, Fall River, Mass.; effective 8-9-64 to 8-8-65 (men's and boys' outerwear jackets).

Tropical Garment Manufacturing Co., 2508 Ivy Street, 3108 Jefferson Street, Tampa, Fla.; effective 8-1-64 to 7-31-65 (men's and boys'

walk shorts and trousers).
Williamson-Dickie Manufacturing Co., McAllen, Tex.; effective 8-6-64 to 8-5-65 (men's and boys' cotton pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Baroness, Inc., 24 High Street, Womelsdorf, Pa.; effective 8-7-64 to 8-6-65; 10 learners (ladies' blouses).

Bre-Co., Inc., Irvington, Va.; effective 7-30-64 to 7-29-65; 10 learners (nurses'

uniforms).

B. F. Davis Garment Co., Inc., 300-02
Royal Street, New Orleans, La.; effective
8-11-64 to 8-10-65; 10 learners (men's work pants).

J. R. Davis Manufacturing Co., Inc., Beaver Springs, Pa.; effective 7-31-64 to 7-30-65; 5 learners (men's and boys' outerwear jackets).

Isaacson-Carrico Manufacturing Co., 210 East First Street, El Campo, Tex.; effective 8-5-64 to 8-4-65; 10 learners (girls' underwear and sleepwear).

Linden Manufacturing Co., First and Water Streets, Birdsboro, Pa.; effective 8-7-64 to 8-6-65; 10 learners (ladies' blouses).
Linden Manufacturing Co., Newmanstown, Pa.; effective 8-7-64 to 8-6-65; 5 learners

(ladies' blouses).

Linden Manufacturing Co., 843 North Ninth Street, Reading, Pa.; effective 8-7-64 to 8-6-65; 10 learners (ladies' blouses).

Linden Manufacturing Co., 24 High Street, Womelsdorf, Pa.; effective 8-7-64 to 8-6-65; 10 learners (ladies' blouses).

Normandy Dress Co., 700 South Madison, Bay City, Mich., 20210; effective 7-80-64 to 7-29-65; 10 learners (ladies' cotton house' dresses).

A. Oestreicher Co., 730 South Main Street, Wilkes-Barre, Pa.; effective 7-25-64 to 7-24-65; 10 learners (infants' wear-dresses, pinafores and sunsuits).

Pella Products, Inc., New Sharon, Iowa; effective 8-6-64 to 8-5-65; 10 learners. Learners may not be employed at special minimum wages in the production of jackets of suit-type construction (men's and boys'

coveralls and work jackets).
Sharptown Dress Co., Sharptown, Md., effective 8-6-64 to 8-5-65; three learners (children's dresses).

Sue Frocks, Inc., Broad and Pine Streets, Tamaqua, Pa.; effective 8-11-64 to 8-10-65; six learners (children's dresses).

Susan Garment, Inc., 425 Crowell Street, Lebanon, Pa., effective 8-16-64 to 8-15-65; 10 learners (ladies' blouses and dresses),

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Ely and Walker, a division of Burlington Industries, Inc., Heber Springs, Ark.; effective 8-12-64 to 2-11-65; 75 learners (boys' sport shirts).

Gainesville Manufacturing Co., 513 Myrtle Street SW., Gainesville, Ga.; effective 7-29-64 to 1-28-65; 50 learners (men's pants).

· Glamorise Foundations, Inc., 161–163 West Water Street, Muncy, Pa.; effective 8-3-64 to

2-2-65; 40 learners (women's bras).
Laurens Shirt Corp., Hillcrest Drive,
Laurens, S.C.; effective 8-7-64 to 2-6-65; 15 learners (men's dress and sport shirts).

Nashville Textile Corp., 103 Washington Street, Nashville, Ga.; effective 7-30-64 to 1-29-65; 15 learners (children's underwear).

Peerless Sportswear Manufacturing Co., 120 Hazle Street, Wilkes-Barre, Pa.; effective 8-3-64 to 2-2-65; 10 learners (women's, boys', girls' slacks and shorts).

Reidbord Bros. Co., Wilson Lane, Elkins, W. Va.; effective 8-6-64 to 2-5-65; 50 learners (men's and boys' casual pants).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Haynesville Manufacturing Co., Inc., Haynesville, La.; effective 8-6-64 to 8-5-65; 10 learners for normal labor turnover (work

Wells Lamont Corp., Hugo, Okla.; effective 8-5-64 to 2-4-65; to learners for plant expansion purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Concord Seamless Knitting and Concord Hosiery Finishing Division, Concord, N.C.;

effective 8-12-64 to 2-11-65; 40 learners for plant expansion purposes (seamless)

May Hosiery Finishing Co., 616 South Main Street, Burlington, N.C., effective 8-7-64 to 2-6-65; 40 learners for plant expansion pur-

poses (seamless).
Virginia Maid Hosiery Mills, Inc., and Acme
Hosiery Dye Works, Inc., Pulaski, Va.; effective 8–8–64 to 8–7–65; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' seamless and full-fashioned).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

The Jonathan Corp., King and Love Streets, P.O. Box 188, Lumberton, N.C.; effective 8-10-64 to 2-9-65; 50 learners for plant expansion purposes (ladies' slips, petticoats and pajamas).

Junior Form Lingerie, Inc., 428 Morris Avenue, Boswell, Pa.; effective 8-7-64 to 8-6-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear, petticoats and

Lambert Mills, Inc., Lambert, Miss.; effective 8-5-64 to 8-4-65; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' knit shirts).

Lambert Mills, Inc., Lambert, Miss.; effective 8-6-64 to 2-5-65; 30 learners for plant expansion purposes (men's and boys' knit

shirts).
Lee County Manufacturing, Inc., Leesburg, Ga.; effective 7-30-64 to 9-5-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (re-placement certificate) (ladies' and children's panties).

Lee County Mfg., Inc., Leesburg, Ga.; effective 7-30-64 to 1-29-65; 100 learners for plant expansion purposes (ladies' and children's panties).

Meade Knitting Mills, Inc., Tot Dellinger Road, Cherryville, N.C.; effective 8-3-64 to 8-2-65; 5 learners for normal labor turn-over purposes (infants' and children's sweat-

Meade Knitting Mills, Inc., Tot Dellinger Road, Cherryville, N.C.; effective 8-3-64 to 2-2-65; 45 learners for plant expansion purposes (infants' and children's sweaters).

Mullins Textile Mills, Inc., Chadbourn, N.C., effective 8-1-64 to 1-31-65; 30 learners for plant expansion purposes (men's and boys' placket knit sport shirts and knit undershirts).

Penngora Knitting Mills, Inc., 304 West Ninth Street, Berwick, Pa.; effective 7-29-64 to 7-28-65; 5 learners for normal labor turnover purposes (men's and women's sweaters).

Sherwood Underwear Mills, Inc., Welwood Avenue, Hawley, Pa.; effective 8-5-64 to 8-4-65; 5 learners for normal labor turnover purposes (women's pantles).

Regulations Applicable to the Employment of Learner's (29 CFR 522.1 to 522.9. as amended).

Sanford Embroidery Co., Inc., Sanford, N.C.; effective 8-10-64 to 2-9-65; 30 learners for plant-expansion purposes, in the occupation of embroidery machine operator, for a learning period of 320 hours at the rate of not less than \$1.15 an hour (embroidery designs).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Affiliated Industries, Inc., Road 183 Km. 8.3, P.O. Box 118, San Lorenzo, P.R.; effective 7-20-64 to 1-19-65; 20 learners for plant expansion purposes, in the occupations of: (1) sewing machine operator for a learning period of 320 hours at the rates of 60¢ an hour for the first 160 hours and 70¢ an hour for the remaining 160 hours; and (2) clicker machine operator, riveting machine operator, cementing machine operator, bar tacking, each for a learning period of 160 hours at the rate of 60¢ an hour (brief cases and school bags).

Consolidated Caguas Corp., Bo. Turabo, Km. 37.8, P.O. Box 1086, Caguas, P.R.; effec-tive 7-29-64 to 7-28-65; 31 learners for normal labor turnover purposes, in the occupation of cigarmaking, packing, each for a learning period of 320 hours at the rates of 87¢ an hour for the first 160 hours and 97¢ an hour for the remaining 160 hours (cigars).

Consolidated Cigar Corp. of P.R., P.O. Box 1086, Caguas, P.R.; effective 7-29-64 to 7-28-65; 92 learners for normal labor turnover purposes, in the occupation of cigar-making, packing, each for a learning period of 320 hours at the rates of 87¢ an hour for the first 160 hours and 97¢ an hour for the

remaining 160 hours (cigars).

Curtis Mathes of P.R., Highway 165, P.O.

Box 99, Toa Alta, P.R.; effective 7-27-64 to
1-26-65; 250 learners for plant expansion purposes in the occupations of: (1) assembly of circuit board, tuner and chassis, each for a learning period of 480 hours at the rates of 98¢ an hour for the first 240 hours and \$1.08 an hour for the remaining 240 hours; and (2) assembling, testing and repairing television sets, each for a learning period of 480 hours at the rates of \$1 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (assembly of television sets).

National Packing Co., P.O. Box 186-Playa, Ponce, P.R.; effective 7-27-64 to 7-26-65; 80 learners for normal labor turnover purposes, in the occupation of fish cleaning for a learning period of 160 hours at the rates of 94¢ an hour for the first 80 hours and \$1.10 an hour for the remaining 80 hours (tuna fish

canning).

Ricardo Corp., P.O. Box 127, Hormigueros, P.R.; effective 7-20-64 to 1-6-65; 30 learners for plant expansion purposes, in the occupation of machine stitching for a learning period of 480 hours at the rates of 75¢ an hour for the first 240 hours and 86¢ an hour for the remaining 240 hours (fabric and

leather gloves). Rosita Mills, Inc., P.O. Box 846, Bayamon, P.R.; effective 7-20-64 to 7-19-65; 20 learners for normal labor turnover purposes, in the occupations of: (1) knitting, topping, looping, each for a learning period of 480 hours at the rates of 88¢ an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; (2) machine stitching, hand sewing, each for a learning period of 320 hours at the rates of 88¢ an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours; and (3) winding for a learning period of 240 hours at the rate of 88¢ an hour (full-fashioned knitted outerwear)

Sabana Grande Manufacturing Corp., P.O. Box 354, Sabana Grande, P.R.; effective 7-23-64 to 1-22-65; 50 learners for plant expansion purposes, in the occupations of: (1) looping for a learning period of 960 hours at the rates of 68¢ an hour for the first 480 hours and 74¢ an hour for the remaining 480 hours; (2) mending for a learning period of 720 hours at the rates of 68¢ an hour for the first 360 hours and 74¢ an hour for the remaining 360 hours; and (3) knitting, examining and inspecting, each for a learning period of 240 hours at the rate of 68¢ an hour (ladies' seamless hosiery).

Sabana Grande Manufacturing P.O. Box 354, Sabana Grande, P.R.; effective 7-23-64 to 7-22-65; 20 learners for normal labor turnover purposes, in the occupations of: (1) machine fixing, looping, each for a learning period of 960 hours at the rates of 68¢ an hour for the first 480 hours and 74¢ an hour for the remaining 480 hours; (2) mending for a learning period of 720 hours at the rates of 68¢ an hour for the first 360 hours and 74¢ an hour for the remaining 360 hours; and (3) knitting, examining and inspecting, each for a learning period of 240 hours at the rate of 68¢ an hour (ladies' seamless hosiery).
Yauco Super Knits, Ltd., P.O. Box 652.

Yauco, P.R.; effective 7-15-64 to 7-14-65; 15 learners for normal labor turnover purposes, in the occupations of: (1) knitting, looping, each for a learning period of 480 hours at the rates of 88¢ an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitching for a learning period of 320 hours at the rates of 88¢ an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (full-fash-

ioned sweaters).
Yauco Super Knits, Ltd., P.O. Box 652, Yauco, P.R.; effective 7-15-64 to 1-14-65; 35 learners for plant expansion purposes, in the occupations of: (1) knitting, looping, each for a learning period of 480 hours at the rates of 88¢ an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitching for a learning period of 320 hours at the rates of 88¢ an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (fullfashioned sweaters).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 14th day of August 1964.

> ROBERT G. GRONEWALD. Authorized Representative of the Administrator.

[F.R. Doc. 64-8740; Filed, Aug. 27, 1964; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 1036]

MOTOR CARRIER TRANSFER **PROCEEDINGS**

AUGUST 26, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 66834, Corrected Notice*. By order of July 31, 1964, the Transfer Board approved the transfer to Alexander B. Pollock, doing business as Jiffy Vans, Indianapolis, Ind., of the Certificate in No. MC 93707, issued March 28, 1941, to E. P. Spencer, Louisville, Ky., authorizing the transportation of: Household goods, between Jeffersonville and New Albany, Ind., and points in Jefferson County, Ky., on the one hand, and, on the other, Cincinnati and Norwood, Ohio, points in Kentucky, and those specified in Indiana and Tennessee. Donald W. Smith, 511 Fidelity Building, Indianapolis, Ind., 46204, attorney for applicants.

No. MC-FC 67040. By order of August 19, 1964, the Transfer Board approved the transfer to Jo Taylor Desmond, doing business as Consolidated Van & Storage Co., Atlanta, Ga., of the operating rights of Consolidated Van & Storage Companies, Inc., Atlanta, Ga., in Certificates Nos. MC 14133, MC 14133 Sub 4, and MC 14133 Sub 6, issued by the Commission September 2, 1941, August 2, 1946, and November 2, 1949, authorizing the transportation, over irregular routes, of household goods, between points in Georgia. on the one hand, and, on the other, points in Alabama, Delaware, Florida, Illinois, Indiana, Kentucky, Louisiana, Mississippi, New Jersey, New York, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, Pennsylvania, and the District of Columbia: between points in Georgia on the one hand, and, on the other, points in Maryland; between points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee; and between points in Georgia, on the one hand, and, on the other, points in Connecticut, Massachusetts, Michigan, and Rhode Island. Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga., attorney for applicants.

[SEAL] HAROLD D. McCoy, Secretary.

[F.R. Doc. 64-8794; Filed, Aug. 28, 1964; 8:46 a.m.1

^{*}The prior notice of such action, published in the August 8, 1964, issue of the FEDERAL REGISTER, was in error and should be disregarded.

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: During the current recess of Congress a listing of public laws approved by the President will appear in the Federal Register under Title 2—The Congress.

Approved August 26, 1964

S. 1451______Public Law 88-490

To amend section 41(a) of the Trading With the Enemy Act.

S. 3075_____ Public Law 88–489

Private Ownership of Special Nuclear Materials Act.

CUMULATIVE CODIFICATION GUIDE—AUGUST

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Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National

Area Code 202

Phone 963-3261

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